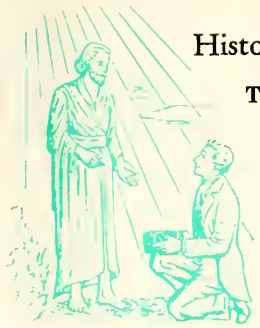

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SALT LAKE CITY, UTAH

CHARTER

OF

GREAT SALT LAKE CITY

AND

ORDINANCES AND RESOLUTIONS

OF THE

CITY COUNCIL,

WITH

CONSTITUTION OF THE UNITED STATES,

AND

ORGANIC ACT

OF THE

TERRITORY OF UTAH.

Printed by Order of the City Council.

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MEMBERS OF THE CITY COUNCIL.

1860.

———o———

Mayor.

ABRAHAM O. SMOOT.

Aldermen.

1st Municipal Ward,	-	ELIJAH F. SHEETS.
2d	"	"	-	SAML. W. RICHARDS.
3d	"	"	-	ALONZO H. RALEIGH.
4th	"	"	-	JETER CLINTON.
5th	"	"	-	NATHAN DAVIS.

Councillors.

HARRISON BURGESS.
ROBERT T. BURTON.
LEONARD W. HARDY.
ISAAC GROO.
THEODORE McKEAN.
ANDREW CUNNINGHAM.
ENOCH REESE.
JAMES M. BARLOW.
NATHANIEL H. FELT.

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STANDING COMMITTEES OF THE CITY COUNCIL.

APPOINTED OCTOBER, 1860.

—o—

On Municipal Laws.

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On Ways and Means.

MESSRS. SHEETS, DAVIS, HARDY, McKEAN, AND CUNNINGHAM.

On Claims.

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On Public Works.

MESSRS. DAVIS, HARDY, AND BURGESS.

On Finance.

MESSRS. RICHARDS, BURTON, AND FELT.

NAMES OF CITY OFFICERS.

—o—

Recorder	ROBERT CAMPBELL.
Marshal	JESSE C. LITTLE.
Treasurer	HYRUM B. CLAWSON.
Auditor of Public Accounts	ROBERT CAMPBELL.
Assessor and Collector	JETER CLINTON.
Supervisor of Streets	ISAAC GROO.
Fence Viewers.—1st Municipal Ward	LEVI RITER.
2d " "	WILLIAM CARTER.
3d " "	JOHN NEBEKER.
4th " "	C. M. DONALDSON.
5th " "	WM. C. A. SMOOT.
Captain of Police	JOHN SHARP.
Water Master	ISAAC GROO.
Sexton	J. C. LITTLE.
Surveyor	JESSE W. FOX.
Inspector of Buildings	A. H. RALEIGH.
Inspector of Wood and Lumber	JOHN GRAY.
Sealer of Weights and Measures	NATHAN DAVIS.
Inspector of Spirituous Liquors	LEONARD W. HARDY.
Inspector of Provisions	LEONARD W. HARDY.
Chief Engineer of Fire Department	JESSE C. LITTLE.
Quarantine Physician	WASHINGTON F. ANDERSON.
Pound Keeper	SOLON FOSTER.

Board of Examination of Physicians.

ALBERT CARRINGTON, LEVI RICHARDS,
JETER CLINTON.

Inspectors of School Teachers.

THEODORE McKEAN, JAMES T. COBB,
ORSON PRATT, JUN.

INDEX

TO

CONSTITUTION OF THE UNITED STATES,

AND

AMENDMENTS THERETO.

	PAGE	SEC.	ART.
Arts and science, to promote by securing rights patent	6	8	1
Acts, records, and judicial proceedings of each state entitled to faith and credit in other states	12	1	4
Appointments to be made by the President	10	2	2
Apportionment of representatives	1	2	1
Appropriations by law	7	9	1
Appropriation for army, not to exceed two years	6	8	1
Armies, Congress to raise and support	6	8	1
Arms, right of the people to keep and bear	15	1	2
Assemble, people may	15	1	1
Attainder, bill of, prohibited to Congress	7	9	1
prohibited to the States	8	10	1
Attainder of treason shall not work corruption of blood, etc.	11	3	3
Bail, excessive not required	17	1	8
Bankruptcy, laws to be uniform	6	8	1
Bills for raising revenue, shall originate	4	7	1
before they become laws, pass both houses, approved by President	5	7	1
Bills not returned in ten days shall be laws	5	7	1
Borrow money, Congress may	5	8	1

	PAGE	SEC.	ART.
Census to be made every ten years	2	2	1
Citizens of each State entitled to the privileges and immunities of citizens in the several States	12	2	4
Claims, nothing in the Constitution to prejudice any of the United States or any particular State	12	3	4
Coins, Congress regulate value, establish standard weights and measures	6	8	1
Commerce, Congress to regulate	5	8	1
regulations to be equal and uniform	5	9	1
Commissions granted by the President	10	3	2
Common law, suits at	17		7
Congress, legislative powers vested in	1	1	1
may alter the regulations of State Legislatures concerning elections of senators and representatives	3	4	1
Congress shall assemble once a year	3	4	1
officers of government cannot be members of	4	6	1
to provide for filling the vacancies of the office of President or Vice-President, etc.	9	1	2
determine the time of choosing electors, etc.	8	1	2
may invest the appointment of inferior officers in officers, in the President alone, in the courts of law, or the heads of department	10	2	2
Congress, may establish courts inferior to the Supreme Court	10	1	3
declare the punishment of treason	11	3	3
prescribe the manner of proving the acts and records of the several States	12	1	4
may admit new States	12	3	4
may propose amendments to Constitution, or call conventions	13	1	5
Congress, to lay and collect tax, duties, etc.	5	8	1
to define and punish piracies and felonies on the high seas, and offences against the laws of nations	6	8	1
to exercise exclusive legislation over the seat of governments, forts, magazines, dock-yards, and arsenals	6	8	1
Congress, to make all laws necessary to carry into execution all powers vested in the government	7	8	1
President may convene and adjourn	10	3	2
Constitution	1		
how amended	13	1	5
must be ratified by nine States	14	1	7
amendments thereto	15		
Contracts, no law impairing	8	10	1

	PAGE	SEC.	ART.
Counterfeiting, Congress to provide for punishment of	6	8	1
Courts, Supreme, Judicial power of	11	2	3
Supreme and inferior, how ordained	6	8	1
" " "	10	1	3
Crimes, persons accused of, fleeing from justice may be demanded	12	2	4
how tried	11	2	3
Criminal prosecutions, proceedings in case of	16		6
Debts against the confederation valid	13	1	6
Duties to be laid by Congress and to be uniform	5	8	1
further provisions respecting, etc.	7	9	1
cannot be laid by the States	8	10	1
Duties on imports and exports, imposed by States, shall accrue to the Treasury of the United States	8	10	1
Elections of senators and representatives prescribed by the States	3	4	1
Elections, qualifications and returns of members of Congress, how determined	3	5	1
Electors of President and Vice-President, how chosen, and duties of	8	1	2
Electors, duties of	17		12
who is not eligible	8	1	2
day of voting the same in each State	8	1	2
Executive power vested in a President	8	1	2
Exports not to be taxed	7	9	1
Expost-facto-law, none shall be passed	8	10	1
Fines excessive prohibited, amendments	17		8
Fugitives from justice to be delivered up	12	2	4
from service, may be reclaimed	12	2	4
Habeas Corpus, writ of, suspended only in case of rebellion or invasion	7	9	1
Impeachment, by House of Representatives	2	2	1
tried by Senate	3	3	1
judgment	3	3	1
all civil officers liable to	10	4	2
Imports, States prohibited from laying duties on	8	10	1
Judges shall hold their offices during good behavior	10	1	3
compensation of	11	1	3
of Supreme and inferior courts, judiciary powers	11	1	3

	PAGE	SEC.	ART.
Judicial proceedings of each State entitled to faith and credit in every State	12	1	4
Jury trial secured	11	2	3
further regulated	16		6
" "	17		7
Law, what is declared the supreme	13	1	6
Laws, President to see faithfully executed	10	3	2
Legislative powers vested in Congress	1	1	1
Marque and reprisal, letters of, by whom granted	6	8	1
Militia, by whom called out, armed, officered, etc.	6	8	1
commanded by the President	9	2	2
Money drawn only by appropriation laws	7	9	1
Congress to coin and regulate value	6	8	1
States shall not coin	8	10	1
Naturalization, uniform rules for	6	8	1
Navy, Congress to provide and govern	6	8	1
Nobility, titles of, shall not be granted by the United States	7	9	1
" " nor by either State	8	10	1
Oath of President	9	1	2
of other public officers	14	1	6
Officers of the House of Representatives chosen by the House	2	2	1
of the Senate, except President, chosen by the Senate	3	3	1
Officers, civil, may be removed by impeachment	10	4	2
Order of one house requires the concurrence of the other	5	7	1
Pardons, President may grant	9	2	2
Patents granted to inventors and authors	6	8	1
Petition, right of the people	15		1
Piracy, Congress to prescribe punishment	6	8	1
Post offices and post roads, establishment of	6	8	1
Powers, not delegated to Congress, not prohibited the States, are reserved	17		10
Powers, judicial, of the United States, how construed	17		11
Presents from foreign powers to public officers prohibited	7	9	1
Press, freedom of	15		1
President of United States, how chosen, how long for, powers vested with, qualifications for, vacancy of	8	1	2
President, election of, amendents	17		12
commander of the army and navy and militia	9	2	2
may require written opinion of heads of department	9	2	2
general powers and duties of	10	2	2

	PAGE	SEC.	ART.
Privileges and immunities of members of Congress	4	6	1
Property, Congress to provide for care of public	12	3	4
private, not taken for public use without just compensation	16		5
Punishment, cruel and unusual, prohibited	17		8
Quorum for business, what shall be	3	5	1
Quartered, no soldier shall be on a citizen	16		3
Receipts and expenditures, accounts of, to be published	7	9	1
Records, how authenticated	12	1	4
Religion, no law to establish, free exercise of	15		1
no test thereof required	14		6
Reprives, granted by the President	9	2	2
Representatives, how chosen, term of office, qualifications, vacancies, how supplied	1	2	1
Representatives, general powers and duties of	3	5	1
compensation prescribed by law, privilege from arrest, shall not be questioned for speech or debate, not appointed to office	4	6	1
Representatives, shall not be electors for President	8	1	2
Resolution, order, or vote, requiring the concurrence of both houses, to undergo the formalities of a bill	5	7	1
Revenue bills, where originate	4	7	1
Rights of citizens	12	2	4
Rules, each house shall determine its own	4	5	1
Seat of government, exclusive legislation	6	8	1
Searches and seizures, security against	16		4
Senate, composed of two senators from each State	2	3	1
Senators terms of service, qualification, Vice-President, President of, shall choose their officers	2	3	1
Senators, general powers and duties of	4	5	1
may propose amendments to bills for raising revenue	4	7	1
shall try impeachments, judgment on impeachment	3	3	1
compensation determined by law, privilege from arrest, not questioned for speech or debate, shall not be appointed to other office	4	6	1
Senators, shall not be electors	8	1	2
how elected	3	4	1
Slaves, their importation may be prohibited after 1808	7	9	1
escaping from one State to another may be reclaimed	12	2	4
Soldiers may not be quartered on citizens	16		3
Speech, freedom of	15		1
States, prohibitions of	8	10	1

	PAGE	SEC.	ART.
States, new, how admitted into the Union	12	3	4
State Judges bound to consider treaties, the Constitution and the laws under it, as supreme	13		6
State, each guaranteed a republican form of government, and the protection of United States	13	4	4
Suits at common law, proceedings	17		7
Tax, direct, according to representation	1	2	1
capitation or direct, how laid	7	9	1
not laid on exports	7	9	1
Tender, what shall be a legal	8	10	1
Territory or public property, Congress to make rules concerning	12	3	4
Titles from foreign States prohibited	7	9	1
Treason defined, how established, punishment provided for	11	3	3
Treasury, money drawn from, by appropriation	7	9	1
Treaties, how made	10	2	2
State cannot make	8	10	1
Vacancies during recess, how filled	10	2	2
in the representation of a State, how filled	2	2	1
Veto of the President, effect, proceedings on	5	7	1
Vice-President, how elected	8	1	2
is President of the Senate	3	3	1
when discharge the duties of President	9	1	2
Vote, etc. of one House requires the concurrence of the other	5	7	1
War, Congress to declare	6	8	1
Warrants for search and seizure, when and how issued	16		4
Witnesses in criminal cases	16		5
Weights and Measures, standard of	6	8	1
Yeas and nays entered on journal	4	5	1

INDEX

TO

ORGANIC ACT.

	PAGE	SEC.
An act to establish a Territorial Government for Utah	19	
Attorney, fees and salary of	25	10
how appointed	25	11
Appeals from District Courts allowed	24	9
Supreme Court, how allowed	24	9
Bills of exception may come before the Supreme Court	23	9
Boundary of Utah Territory defined	19	1
Census taken previous to first Election	21	4
Clerks, how appointed	24	9
Compensation of Members of General Assembly	26	11
Constitution and laws of the United States extended over the Territory	28	17
Contingent expenses provided for	26	11
Council, number and qualifications	20	4
Courts, jurisdiction of	23	9
Delegate to Congress to be elected	27	13
Districts, Judicial defined	28	16
Dividing the Territory, right of reserved to Congress	19	1
Executive power, where vested	19	2
Elections, time and place of holding	21	4
Fees of clerks	25	9
Governor, powers vested in	19	2
how appointed	25	11
to appoint certain officers	22	7

	PAGE	SEC.
Judicial power, in whom vested	23	9
Districts, number of	23	9
Justices, chief and associates, how appointed	25	11
Lands to be surveyed and reserved	28	15
Laws passed to be submitted to Congress	22	6
Legislative Assembly to consist of	20	4
Library at seat of government	27	14
Marshal, duties of	25	10
Qualifications of voters	22	5
Representatives, number of, and qualifications	21	4
Salary of certain named officers	26	11
Secretary, how appointed	25	11
duties of, defined	25	3
Seat of government, how located	27	12
Territory of Utah, its boundaries, may be divided	19	1
Writs of error and appeals to be allowed	23	9

INDEX

TO

CITY CHARTER.

	PAGE	SEC.
Aldermen, to be justices of the peace	32	13
jurisdiction of	32	14
Amusements regulated	35	26
Animals, racing or abuse of prohibited	35	27
impounding of	35	29
Assessment rolls, form of	40	65
objections to shall be heard	40	65
Boundaries of Great Salt Lake City	29	1
Bonds required of officers	42	73
taken on granting licenses	37	41
Charter of Great Salt Lake City	29	
Cemetery lots exempt from execution	43	78
City Council, term of office of	30	4
shall appoint officers	31	8
to hold stated meetings	33	19
meetings, who shall preside	33	18
special meetings of	33	19
judge of election and qualification of members	33	19
powers and jurisdiction of	34	21
may enforce observance of ordinances	39	61
Collector, powers of	40	67
Children, destitute	39	59
Compensation of officers, jurors and others	42	73
Conservators of the peace, power of	44	85
Corporation may have and hold property	29	2

	PAGE	SEC.
Dead carcasses to be removed	36	35
Deeds, acknowledgments of, taken	33	15
Dogs, tax, or destruction of	35	29
Elections provided for	30	5
how conducted	30	6
judges of, how selected	30	6
provided for by City Council	31	7
Enumeration of inhabitants	38	46
Exclusive authority vested in City Council	41	70
Exhibitions, regulated or prohibited	34	25
Finances controled by City Council	34	20
Fines and forfeitures, where paid	32	13
Fraud prohibited	34	21
Ferries, may regulate and license	39	58
Fires, prevention and extinguishment of	41	68
Gunpowder, or other dangerous material, stored	36	32
Inhabitants, a body corporate and politic	29	1
Illegal voting, punishable	32	11
Judicial notice of this Act required	43	83
Jury to assess damages	42	76
Licenses, granting and registering of,	37	41
Markets authorized	37	45
Mayor, qualifications and term of office	30	4
duties of	32	13
to be justice of the peace	32	13
Marshal, duties of	33	16
Mechanical work, measurement and inspection of	38	48
Money, may be borrowed	39	60
Mortality, bills of to be kept	38	46
Noises may be prevented	37	38
Nuisances, City Council may abate	36	34
Ordinances to be published	41	71
Ordinance incorporating Great Salt Lake City repealed	44	87
Oath of office, where filed	32	10
Officers, names of, to be appointed	31	8

	PAGE	SEC.
Officers may be removed or suspended	31	9
how commissioned	42	74
to deliver papers, property, etc. to successors	42	75
Penalties on physicians, sextons, etc. for default	38	46
Police regulations	39	61
Private property may be taken	42	76
Property, right of vested in Corporation	43	82
Public grounds, improvement of	36	37
pounds, may establish and regulate	39	57
Provisions, inspection of	38	50
Quarantine, laws regulating	37	40
Revenue, publish statement of	44	88
Recorder, duties of	32	15
School Inspectors and Trustees	41	69
Seal, city may have, change, and alter	29	1
Spirituous liquors, manufacture of	34	24
and other liquors, disposal of	34	23
Suits prosecuted by the Corporation	43	80
Streets, prevent encumbering of	35	28
labor on required	40	64
in relation to, etc.	36	36
Surveys, valid	43	81
plot of to be kept	33	15
Taxes, how assessed and collected	39	62
apportioned and applied annually	39	62
Treasurer, duties of	33	17
Vacancies, how filled	31	10
Wards, number of	30	3
Waters, regulation of	38	55
Weights and measures to be sealed	38	54
Wood, measuring of	38	51

INDEX

TO

ORDINANCES

OF

GREAT SALT LAKE CITY.

	PAGE	SEC.
Abstract of votes to be posted	2	7
Aldermen, may disperse rioters	43	15
Animals, doing damage, where taken	27	2
killing, maiming of, etc.	42	10
torturing or beating of	42	11
running at large prohibited	56	2
where herded in city	56	3
Assault, penalty for	41	2
provoking another to	45	24
Assessor, how appointed	22	1
duties of	23	3
Attorney, how appointed	65	2
duties of	65	3
may appoint other	66	8
Auditor, how appointed	9	1
duties of	9	2

	PAGE	SEC.
Auctioneers to obtain license	52	1
duties of	53	3
commission allowed to	53	5
Awnings, heighth of from sidewalk	75	3
Bonds, of officers required	3	10
to keep the peace, when given	48	15
required on granting licenses	33	2
Buildings, inspection of	38	2
Butchers to record description of cattle killed	35	3
Camping in the streets prohibited	36	6
Chief engineer of Fire Department	51	3
duties of	52	4
may form other companies	52	6
City Council, regular sessions of	6	1
records of to be kept	7	2
to hear complaints	24	7
City Pound, regulations of	58	4
City Seal established	68	1
Commit to prison or hard labor	48	17
Court to keep docket-book	47	10
may adjourn for witnesses	46	6
shall render judgment	47	9
Crimes, in relation to	40	
Collector, how appointed	22	1
duties of	23	3
Damages to be appraised	56	2
Deseret Engine Company, No. 1, organized	51	1
Deseret Hook and Ladder Company, No. 1, organized	51	2
Dead, where to be interred	14	1
Disturbance of a public assembly	41	9
persons exciting a, liable	44	19
Ditches, owners of lots to dig	17	1
by whom bridged, etc.	17	2
distance of from sidewalk	18	8
for farming lands	19	1
Dogs, to be taxed	60	1
when liable to be killed	60	2
entering place of worship, owners liable	61	3
protection of	61	5
Digging in streets prohibited	67	1

	PAGE	SEC.
Drugs, must be labeled	37	1
Drunkenness prohibited	41	4
Elections, when to be held	1	1
notice of time and place to be given	1	4
judges of, how appointed	2	5
how contested	2	8
Evidence shall be heard	46	9
Execution, lots in burying ground exempt from	12	2
Fees of Recorder	7	4
Females, enticing of, prohibited	64	1
Fence required on street line of lots	27	1
lawful, defined	28	3
viewers, duties of	28	1
by whom may be built	29	1
Fight, persons engaging in, liable	40	1
Fines, when and where paid	47	13
and costs, Mayor may remit	62	1
Fire department organized	51	1
Fowls, when not to run at large	62	2
Gambling prohibited	44	17
Hook and Ladder Company, duty of	51	2
Inspector of spirituous liquors, duties of	31	2
fees of	31	4
marks of	31	5
to make report	31	6
Inspector of Provisions, duties of	34	3
to report quarterly	34	5
Inspector of Buildings, duties of	38	2
supervisor of all buildings	38	3
Injury to person or property prohibited	42	13
Judgment, refusal to comply with	47	12
Jurors summoned	47	14
Jordan Bridge, running animals over, forbidden	57	1
driving upon, regulated	57	2
Licenses, who must obtain	32	1
not transferable	33	2

	PAGE	SEC.
Licenses signed by Recorder	33	3
Life, threatening to take or endanger	41	5
Lots in burying ground may be sold	12	2
Marshal, duties of	8	2
may appoint deputies	8	3
Mason work, how measured	57	1
Mayor to give bonds	3	10
may raise and control Police	21	3
to disperse rioters	43	15
Meat markets, to be licensed	35	3
Medicines, to be labeled	37	1
Minors, enticing of	64	1
Monuments to be erected in burying-ground	12	4
person removing or destroying, liable	42	12
Nuisances, what declared to be	55	2
Oath of office required	3	9
form of	50	2
Offices created	4	1
term of	4	2
Officers, how commissioned	50	3
how removed	49	1
resistance to, punishable	41	5
persons refusing to assist, liable	41	6
Ordinances, when in force	6	1
to have title	69	7
mode of procedure under	45	1
tearing down or defacing	44	21
conflicting, last passed to prevail	69	5
repealed	69	1
"	71	1
"	72	1
Peace, disturbance of	41	3
officer, may arrest without process	45	2
Physician to obtain license	36	1
qualifications of	36	2
to label drugs and medicines	37	1
Police, captain of, how appointed	21	1
duties of	21	2
Police, how raised	21	3
rules and regulations, by whom made	22	4

	PAGE	SEC.
Police, duties of	58	5
Pound Keeper, how appointed	21	1
Property, persons destroying, liable	41	7
sale of, notice to be given	47	13
Profane language prohibited	45	23
Proclamation, to unlawful assemblage	43	15
Provisions, unwholesome, sale of forbidden	42	14
Prison, may commit to	46	7
Prosecutions, how commenced	49	20
Posts, required to be set	75	1
Public lands of Great Salt Lake City	40	4
Qualifications of electors and voters	1	2
Quarantine ground established	35	1
physician, how appointed	35	2
duties of	35	3
Recorder, duties of	6	1
to make out and file tax list	24	8
Record of deaths to be kept	12	3
Recognizance to appear, when given	46	7
to keep the peace	48	16
Resolutions repealed	71	1
"	73	1
Revenue, quarterly statement of	9	4
Riots prohibited	43	15
Reward for arrest of criminals	63	1
Sabbath breaking	44	20
School districts created	26	1
Trustees, how elected	26	2
duties of	26	3
School teachers to be examined	27	5
Sealer of Weights and Measures, how appointed	9	1
duties of	9	2
fees of	10	5
Search warant, when issued	49	18
Sexton, duty of	12	2
compensation of	13	5
Shade trees, where set	21	1
Sidewalks, riding or driving on, prohibited	20	2
obstruction, etc., forbidden	20	3
width of, in Plot D	20	1

	PAGE	SEC.
Sidewalks, posts may be set on	75	3
Spirituous liquors, license to sell	29	1
sale of, when forbidden	29	2
regulations in houses selling	30	4
to be inspected	30	1
Stealing, how punished	41	8
Streets, name of	4	2
public	4	1
running animals in, forbidden	44	21
Stock, dying, to be removed	55	1
Streams, filth not to flow into	55	3
Successors, property and papers delivered to	50	4
Supervisor, how appointed	14	1
may appoint assistants	14	2
duties of	15	3
Surveyor, how appointed	39	1
duties of	39	2
required to resurvey	40	3
compensation of	40	5
Surveys, books and papers of, property of city	40	6
Swine, what food forbidden	61	1
Taxes, when and how assessed	23	3
when collected from transient traders	23	4
per centage on, allowed	63	1
per centage on, added	63	2
Teams, to be secured	75	4
Threatening, persons liable for	41	2
Theatricals, amusements, etc., licensed	54	1
Treasurer, duties of	7	2
Trial, detained in prison before	46	4
Trespass	56	1
Vacancies, how filled	50	2
Vagrants, who declared to be	59	1
liable to penalties	59	2
testimony on trial of	60	3
Venira, shall issue if required	47	14
Verdict, when given	48	14
Wards, boundaries of	5	1
Warrant, shall issue on complaint	45	1
returns of made	46	8

	PAGE	SEC.
Water Master, duties of	16	1
may appoint assistants	16	2
Water privileges, persons holding, liable	18	7
Weeds, rubbish, etc., when burned	66	1
Words defined	68	2
plural, single included	68	3
Weights to be sealed	10	4
false, may be seized	10	3

CONSTITUTION OF THE UNITED STATES.

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America.

ARTICLE I.

SECTION I.

1. All legislative powers herein granted, shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION II.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined

by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware,one; Maryland,six; Virginia,ten; North Carolina, five; South Carolina, five, and Georgia, three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

SECTION III.

1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided,as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of the President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside: and no person shall be convicted without the concurrence of two thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION IV.

1. The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may, at any time, by laws, make or alter such regulation, except as to the places of choosing Senators.

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION V.

1. Each House shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number

may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secresy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION VI.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either House during his continuance in office.

SECTION VII.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not, he shall return it, with his objection, to that House in which it shall have originated,who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and, if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII.

The Congress shall have the power—

1. To lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States: but all duties, imposts and excises shall be uniform throughout the United States:

2. To borrow money on credit of the United States:

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes:

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States:

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures:

6. To provide for the punishment of counterfeiting the securities and current coin of the United States:

7. To establish post offices and post roads:

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries:

9. To constitute tribunals inferior to the Supreme Court:

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations:

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water:

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years:

13. To provide and maintain a navy:

14. To make rules for the government and regulation of the land and naval forces:

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions:

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress:

17. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the

erection of forts, magazines, arsenals, dockyards and other needful buildings;—and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SECTION IX.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or other enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

6. No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION X.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection law; and the net produce of all duties and imposts,laid by any State on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships-of-war in time of peace, enter into any agreement or compact with another State, with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I.

1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding any office of trust or profit under the United States, shall be appointed an elector.

3. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

4. No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty five years, and been fourteen years a resident within the United States.

5. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall then act accordingly, until the disability be removed, or a President shall be elected.

6. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

7. Before he enters on the execution of his office, he shall take the following oath or affirmation:—

8. "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

SECTION II.

1. The President shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of

the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION III.

1. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION IV.

1. The President, Vice President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION I.

1. The judicial power of the United States shall be vested in one Supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during

good behavior; and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SECTION II.

1. The judicial power shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, or other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State, claiming lands under grants of different States, and between a State or the citizens thereof, and foreign States, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme court shall have original jurisdiction. In all other cases, before mentioned, the Supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed, but when not committed within any State, the trial shall be at such place or places as Congress may by law have directed.

SECTION III.

1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attained.

ARTICLE IV.

SECTION I.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION II.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION III.

1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION IV.

1. The United States shall guarantee to every State in this Union, a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the executive (when the Legislature cannot be convened) against domestic violence.

ARTICLE V.

1. The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided, that no amendment which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

1. All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be valid against the United States, under this Constitution, as under the confederation.

2. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land: and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the

several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

1. The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in Convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty seven, and of the Independence of the United States of America, the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON, PRESIDENT and
Deputy from Virginia.

NEW HAMPSHIRE.

John Langdon, Nicholas Gilman.

MASSACHUSETTS.

Nathaniel Gorham, Rufus King.

CONNECTICUT.

William Samuel Johnson, Roger Sherman.

NEW YORK.

Alexander Hamilton.

NEW JERSEY.

William Livingston, David Brearley,
William Paterson, Jonathan Dayton.

PENNSYLVANIA.

Benjamin Franklin, Thomas Mifflin,
Robert Morris, George Clymer,
Thomas Fitzsimons, Jared Ingersoll,
James Wilson, Governeur Morris.

DELAWARE.

George Reed, Gunning Bedford, jun.,
John Dickinson, Richard Bassett,
Jacob Broom.

MARYLAND.

James M'Henry, Daniel of St. Thomas Jenefer,
Daniel Carroll.

VIRGINIA.

John Blair, James Madison, jun.

NORTH CAROLINA.

William Blount, Richard Dobbs Spaight,
Hugh Williamson.

SOUTH CAROLINA.

John Rutledge, Charles C. Pinckney,
Charles Pinckney, Pierce Butler.

GEORGIA.

William Few, Abraham Baldwin.

Attest, WILLIAM JACKSON, Secretary.

AMENDMENTS

TO THE CONSTITUTION OF THE UNITED STATES, RATIFIED ACCORDING TO THE PROVISIONS OF THE FIFTH ARTICLE OF THE FOREGOING CONSTITUTION.

ARTICLE I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

No soldier shall, in time or peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

ARTICLE V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witness against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fine imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX.

The enumeration in the Constitution, of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ARTICLE XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII.

The Electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which list they shall sign and cer-

tify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted;--the persons having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the Representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest members on the list, the Senate shall choose the Vice President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of VicePresident of the United States.

AN ACT TO ESTABLISH A

TERRITORIAL GOVENRMENT FOR UTAH.

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,—That all that part of the Territory of the United States included within the following limits, to wit: bounded on the west by the State of California, on the north by the Territory of Oregon, and on the east by the summit of the Rocky Mountains, and on the south by the thirty-seventh parallel of north latitude, be, and the same is hereby, created into a temporary government, by the name of the Territory of Utah; and when admitted as a State, the said Territory, or any portion of the same shall be received into the Union, with, or without slavery, as their constitution may prescribe at the time of their admission: Provided, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more territories, in such manner, and at such times, as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other State or Territory of the United States.

Sec. 2. And be it further enacted, That the Executive Power and Authority in and over said Territory of Utah shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be Command-

er-in-Chief of the militia thereof, shall perform the duties and receive the emoluments of Superintendent of Indian Affairs, and shall approve all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Sec. 3. And be it further enacted, That there shall be a Secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws, and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and at the same time, two copies of the laws to the speaker of the House of Representatives, and the President of Senate, for the use of Congress. And in case of the death, removal, resignation, or other necessary absence of the Governor from the Territory, the Secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or necessary absence, or until another Governor shall be duly appointed to fill such vacancy.

Sec. 4. And be it further enacted, That the Legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a Council and House of Representatives. The Council shall consist of thirteen members, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The House of Representatives

shall consist of twenty six members, possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the Council and House of Representatives, giving to each section of the Territory representation in the ratio of its population, Indians excepted, as nearly as may be. And the members of the Council and of the House of Representatives shall reside in, and be inhabitants of the district for which they may be elected respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken, and the first election shall be held at such time and places, and be conducted in such manner as the Governor shall appoint and direct; and he shall, at the same time, declare the number of members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said Council districts for members of the Council, shall be declared by the Governor to be duly elected to the Council; and the person or persons authorized to be elected having the highest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be duly elected members of the House of Representatives: Provided, That in case of a tie between two or more persons voted for, the Governor shall order a new election to supply the vacancy made by such a tie. And the persons thus elected to the Legislative Assembly shall meet at such a place, and on such day, as the Governor shall appoint; but, thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the Council and House of Representatives, according to population, shall be prescribed by law, as well as the day of the commencement of

the regular sessions of the Legislative Assembly: Provided, That no one session shall exceed the term of forty days.

Sec. 5. And be it further enacted, That every free white male inhabitant above the age of twenty one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office, at all subsequent elections, shall be such as shall be prescribed by the Legislative Assembly: Provided, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the republic of Mexico, concluded February second eighteen hundred and forty eight.

Sec. 6. And be it further enacted, That the legislative power of said Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. All the laws passed by the Legislative Assembly and Governor shall be submitted to the Congress of the United States, and if disapproved shall be null and of no effect.

Sec. 7 And be it further enacted, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory of Utah. The Governor shall nominate, and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for; and in the first instance the Governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the Legislative Assembly; and shall lay off the necessary dis-

tricts for members of the Council and House of Representatives; and all other offices.

Sec. 8. And be it further enacted, That no member of the Legislative Assembly shall hold or be apppointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United, States, except postmasters, shall be a member of the Legislative Assembly, or shall hold any office under the government of said Territory.

Sec. 9. And be it further enacted, That the judicial power of said Territory shall be vested in a Supreme Court, District Court, Probate Courts, and in Justices of the Peace. The Supreme Court shall consist of a Chief Justice and two Associate Justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a District Court shall be held in each of said districts by one of the Justices of the Supreme Court, at such time and place as may be prescribed by law; and the said Judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the Probate Courts and of Justices of the Peace, shall be as limited by law: Provided, That Justices of the Peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said Supreme and District Courts respectively shall possess chancery as well as common law jurisdiction. Each District Court, or the Judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and ap-

peals, shall be allowed in all cases from the final decisions of said District Courts to the Supreme Court, under such regulations as may be prescribed by law; but in no case removed to the Supreme Court shall trial by jury be allowed in said court. The Supreme Court, or the Justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decision of said Supreme Court, shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the Circuit Court of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars, except only that, in all cases involving title to slaves, the said writs of error or appeals shall be allowed and decided by the said Supreme Court, without regard to the value of the matter, property, or title in controversy; and except, also, that a writ of error or appeal shall be allowed to the Supreme Court of the United States, from the decisions of the said Supreme Court created by this act, or of any Judge thereof, or of the District Courts created by this act, or of any Judge thereof, upon any writ of habeas corpus involving the question of personal freedom; and each of the said District Courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the Circuit and District Courts of the United States; and the said Supreme and District Courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the Judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeal, in all such cases, shall be made to the Supreme Court of said Territory, the same as in other

cases. The said clerk shall receive in all such cases the same fees which the clerks of the District Courts or Oregon Territory now receive for similar services.

Sec. 10. And be it further enacted, That there shall be appointed an Attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the Attorney of the United States for the present Territory of Oregon. There shall also be a Marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts, when exercising their jurisdiction as Circuit and District Courts of the United Siates; he shall perform the duties, be subject to the same regulation and penalties, and be entitled to the same fees as the Marshal of the District Court of the United States for the present Territory of Oregon; and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

Sec. 11. And be it further enacted, That the Governor, Secretary, Chief Justice and Associate Justices, Attorney, and Marshal shall be nominated, and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and Secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation, before the District Judge, or some Justice of the Peace in the limits of said Territory, duly authorized to administer oaths and affirmations by the laws now in force therein, or before the Chief Justice or some Associate Justice of the Supreme Court of the United States, to support the Constitution of the United States and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the said Secretary among the executive proceedings; and the Chief Justice and Associate Justices, and all other civil officers in said

Territory, before they act as such, shall take a like oath or affirmation, before the said Governor or Secretary, or some Judge or Justice of the Peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted, by the person taking the same, to the Secretary, to be by him recorded as aforesaid; and afterwards, the like oath or affirmation shall be taken, certified and recorded, in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as Governor, and one thousand dollars as Superintendent of Indian Affairs. The Chief Justice and Associate Justices shall each receive an annual salary of eighteen hundred dollars. The Secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter yearly, at the treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day during their attendance at the sessions thereof, and three dollars each for twenty miles travel, in going to and from the said sessions, estimated according to the nearest usually traveled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the Governor to defray the contingent expense sof the Territory. There shall also be appropriated annually, a sufficient sum, to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasuary of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the Secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

Sec. 12. And be it further enacted, That the Legislative Assembly of the Territory of Utah shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the Governor and

Legislative Assembly shall proceed to locate and establish the seat of government for said Territory, at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly. And the sum of twenty thousand dollars, out of any money in the treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Utah to be applied by the Governor and Legislative Assembly to the erection of suitable public buildings at the seat of government.

Sec. 13. And be it further enacted, That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly: Provided, That said delegate shall receive no higher sum for mileage than is allowed by law to the delegate from Oregon.

Sec. 14. And be it further enacted, That the sum of five thousand dollars be, and the same is hereby, appropriated out of any moneys in the treasury not otherwise appropriated, to be expended by and under the direction of the said Governor of the Territory of Utah, in the purchase of a library, to be kept at the seat of government for the use of the Governor, Legislative Assembly, Judges of the Supreme Court, Secretary, Marshal, and Attorney of said Territory, and such other persons, and under such regulations as shall be prescribed by law.

Sec. 15. And be it further enacted, That when the lands in

sell, lease, convey, and dispose of property, real and personal, for the benefit of said city, both within and without its corporate boundaries; to improve and protect such property, and do all other things in relation thereto as natural persons.

Sec. 3. Said city shall be divided into five Municipal Wards, whose boundaries shall be as prescribed by City Ordinance.

Sec. 4. The Municipal Government of said city is hereby vested in a City Council, to be composed of a Mayor, five Aldermen, one from each ward, and nine Councillors, who shall have the qualifications of electors in said city, and shall be chosen by the qualified voters thereof, and shall hold their offices for two years, and until their successors are elected and qualified.

Sec. 5. An election shall be held on the second Monday of February next, and every two years thereafter on said day, at which there shall be elected one Mayor, five Aldermen, nine Councilors, one Marshal, one Treasurer, and one Recorder; and the persons respectively receiving the highest number of votes cast in the city for said offices, shall be declared elected. When two or more candidates for an elective office shall have an equal number of votes for the same office, the election shall be determined by the City Council.

Sec. 6. The first election under this act shall be conducted in the following manner, to wit:—The County Clerk of Great Salt Lake County, shall cause notice of the time and place and the number and kind of officers to be chosen, to be advertised in some newspaper of said city, or posted up in five public places therein, at least ten days previous to said election. Three judges shall be selected by the Probate Judge of Great Salt Lake County, at least one week previous to the day of election; said judges shall choose two clerks, and the judges and clerks, before entering upon their duties, shall take and subscribe an oath or affirmation for the faithful discharge thereof. At the first election so held, the polls shall be opened at eight o'clock, a. m., and shall close at six o'clock, p. m.. At the close of the election the judges shall seal up the ballot box, and the list of

names of the electors, and transmit the same within two days to the County Clerk of Great Salt Lake County. As soon as the returns are received, the County Clerk, in the presence of the Probate Judge, shall unseal and examine them, and furnish within five days, to each person having the highest number of votes, a certificate of his election.

Sec. 7. The manner of conducting and voting at all subsequent elections to be held under this act, and contesting the same; the keeping of the poll lists, canvassing the votes, and certifying the returns, and all other things relating thereto, shall be as provided by City Ordinance.

Sec. 8. There shall be appointed an Assessor and Collector, an Auditor of Public Accounts, a Supervisor of streets, a Surveyor, an Attorney, a Board of School Inspectors, a Sealer of Weights and Measures, a Sexton or keeper of burial grounds, a Chief of Police, Inspectors, Measurers and Weighers, and such other officers and agents as the City Council may from time to time direct and appoint.

Sec. 9. Every person elected or appointed to any office under the provisions of this act may be removed from such office by a vote of two-thirds of the City Council, and no officer shall be removed except for cause, nor unless furnished with the charges and have an opportunity of being heard in his defence; and the Council shall have power to compel the attendance of witnesses, and the production of papers when necessary for the purpose of such trial, and shall proceed, within ten days, to hear and determine upon the merits of the case, and if such officer shall neglect to appear and answer to such charges, then the Council may declare the office vacant. All officers appointed by the Council may be removed at any time by vote, at discretion of two-thirds of said Council, and any officer may be suspended until the disposition of charges preferred against him.

Sec. 10. Whenever any vacancy shall happen by the death, resignation, or removal of any officer, such vacancy may be filled by the City Council, and every person elected or appointed to

an elective, judicial or administrative office, shall, before he enters upon the duties thereof, take and subscribe an oath or affirmation that he will support the Constitution of the United States, the laws of this Territory, and the Ordinances of this city, and that he will well and truly perform all the duties of his office to the best of his knowledge and ability, and file the same, duly certified by the officer before whom it was taken, with the City Recorder.

Sec. 11. Any person or persons illegally voting at any election under this act, shall be punishable according to law regulating general elections.

Sec. 12. The Mayor shall, before he enters upon the duties of his office, in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and shall from time to time give the Council such information and recommend such measures as he may deem advantageous to the city.

Sec. 13. The Mayor and Aldermen shall be conservators of the peace within the limits of the city, and shall give bonds and qualify as other Justices of the Peace; and when so qualified, shall possess the same power and jurisdiction both in civil and criminal cases arising under the laws of the Territory, and may be commissioned as Justices of the Peace in and for said city by the Governor; they shall account for and pay over to the City Treasurer, within three months, all fines and forfeitures received by them in their judicial capacity; and they shall each keep a docket, subject at all times to the inspection of the City Council and all other parties interested.

Sec. 14. The Mayor and Aldermen shall have exclusive jurisdiction in all cases arising under the ordinances of the city, and issue such process as may be necessary to carry such ordinances into execution and effect.

Sec. 15. It shall be the duty of the Recorder to make and keep accurate records of all ordinances made by the City Council

and all their proceedings in a corporate capacity; which record shall at all times be open to the inspection of the electors of the city and all other parties interested. He shall have and keep a plat of all surveys within the city, and record all deeds, transfers, or other instruments of writing that may be presented to him for that purpose, and he is hereby authorized to take the acknowledgment of deeds, transfers and other instruments of writing, and shall perform such other duties as may be required of him by city ordinance.

Sec. 16. The Marshal shall perform such duties as shall be prescribed by the City Council, for the preservation of the public peace. All process issued by the Mayor, or an Alderman, shall be directed to the Marshal, or his deputy, and in the execution thereof he shall be governed by such rules and regulations as may be provided by city ordinance, and shall be the principal ministerial officer.

Sec. 17. The Treasurer shall receive all moneys belonging to the city, and shall keep an accurate account of all receipts and expenditures in such manner as the City Council shall direct. He shall pay all moneys that may come to his hand by virtue of his office upon orders signed by the Auditor of Public Accounts, and shall report to the City Council a true account of his receipts and disbursements as they may require.

Sec. 18. The City Council, a majority of whom shall form a quorum to transact business, shall meet at such times and places as they may direct, and the Mayor, when present, shall preside at said meetings, and have a casting vote. In the absence of the Mayor any Alderman present may be appointed to preside in such manner as shall be provided by the City Council.

Sec. 19. The City Council shall hold stated meetings, and the Mayor or any two Aldermen may call special meetings, by notice to each of the members of said council, served personally or left at their usual place of abode. Said council shall determine the rules of its own proceedings, and be the judge of the election and qualification of its own members.

Sec. 20. The City Council shall have the management and control of the finances and property, real, personal, and mixed, belonging to the corporation.

Sec. 21. The City Council is hereby empowered within the jurisdiction of the city, by ordinance and the enforcement thereof, to prevent, punish, or prohibit every kind of fraudulent device and practice, all descriptions of gaming, playing at dice, cards, or other games of chance, with or without betting.

Sec. 22. To license, tax, regulate, suppress, or prohibit billiard tables, pin alleys, nine or ten pin alleys, or tables and ball alleys; to suppress or restrain bawdy and other disorderly houses, and groceries; to authorize the destruction and demolition of all instruments and devices used for the purpose of gaming; to prevent any riot, noise, disturbance, or disorderly assemblage; and to restrain and punish vagrants, mendicants, street beggars and prostitutes.

Sec. 23. To regulate the selling or giving away of any ardent spirits or other intoxicating liquors by any storekeeper, grocer or trader, to be drank in any shop, store, grocery, outhouse, yard, garden, or other place within the city, except by persons or at places duly licensed; to forbid the selling or giving away of ardent spirits or other intoxicating liquors to any child, apprentice or servant, without the consent of his or her parent, guardian, master or mistress, or to any Indian.

Sec. 24. To license, regulate, or restrain the manufacturers, sellers or venders of spirituous and fermented liquors, tavern keepers, dram or tippling-shop keepers, grocers, and keepers of ordinaries, boarding, victualing or coffee houses, restaurants, saloons, or other houses or places for the selling or giving away of wines or other liquors, whether ardent, vinous or fermented.

Sec. 25. To regulate, license, suppress or prohibit all exhibitions of common showmen, shows of every kind, concerts or other musical entertainments, exhibitions of natural or artificial curiosities, caravans, circuses, theatrical performances, and all other exhibitions and amusements.

Sec. 26. To prevent or regulate the rolling of hoops, playing at ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets, or on the side-walks, or to frighten teams or horses.

Sec. 27. To prevent horse-racing, immoderate riding or driving in the streets, and to authorize their being stopped by any person; to punish or prohibit the abuse of animals; to compel persons to put up posts in front of their lots to fasten their horses or other animals; to compel the fastening of horses, mules, oxen, or other animals attached to vehicles while standing or remaining in the street.

Sec. 28. To prevent the encumbering of the streets or side-walks, lanes, alleys and public grounds with carriages, tents, wagons, carts, sleighs, horses or other animals, sleds, wheel-barrows, boxes, lumber, timber, firewood, posts, awnings, signs, adobies, or any material or substance whatever.

Sec. 29. To restrain, regulate or prohibit the running at large of cattle, horses, mules, sheep, swine, goats, and all kinds of poultry; and to authorize the distraining, impounding, or sale of the same, for the penalty and costs incurred thereby; and to impose penalties for any violation of city ordinance in relation thereto; and to tax, prevent, or regulate the keeping of dogs, and to authorize the destruction of the same when at large, contrary to city ordinance.

Sec. 30. To compel the owner or occupant of any grocery, cellar, tallow-chandler shop, soap factory, tannery, stable, barn, privy, sewer or any unwholesome place, to cleanse, remove or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said city.

Sec. 31. To direct the location and management of, and regulate, breweries, tanneries, and to direct the location, management and construction of, and restrain or prohibit within the city, distilleries, slaughtering establishments, establishments for steaming and rendering lard, oil, tallow, offal and such other

substances as can or may be rendered; and all establishments or places where nauseous, offensive or unwholesome business may be carried on.

Sec. 32. To direct or prohibit the location and management of houses for the storing of gunpowder, tar, pitch, rosin or other combustible and dangerous materials within the city, and to regulate the keeping and conveying of gunpowder, and the use of candles and lights in barns, stables or outhouses.

Sec. 33. To compel persons to keep the snow and ice from the side-walk in front of the premises owned or occupied by them on East Temple Street, from the Temple Block south to the intersection with Second South Street.

Sec. 34. To abate or remove nuisances, and punish the authors thereof by penalties of fine and imprisonment, and to define and declare what are nuisances, and authorize and direct the summary abatement thereof, and to abate all nuisances which are or may be injurious to the public health, peace, or good order.

Sec. 35. To prevent any person from bringing, depositing, or having within the limits of the city, any dead carcass or any unwholesome substance, and to require the removal or destruction of the same by any person who shall have placed or caused to be placed upon or near his premises, or near any of the streams of this city, any such substances, or any putrid or unsound beef, pork, or fish, hides or skins of any kind, and on his default, to authorize the removal or destruction by any officer of said city.

Sec. 36. To exclusively control, regulate, repair, amend and clear the streets, alleys, bridges, side-walks or cross-walks, and open, widen, straighten, or vacate streets and alleys, and put drains or ditches and sewers therein; and prevent the encumbering of the streets in any manner, and protect the same from any encroachment and injury.

Sec. 37. To lay out, improve, and regulate the public grounds belonging to the city, to direct and regulate the plant-

ing and preserving trees in the streets and public grounds, and to regulate the fencing of lots within the bounds of the city.

Sec. 38. To prevent the ringing of bells, blowing of horns and bugles, crying of goods, and all other noises, performances and devices tending to the collection of persons on the streets or side-walks by auctioneers and others, for the purpose of business, amusement or otherwise.

Sec. 39. To regulate and determine the times and places of bathing and swimming in the river or other waters in and adjoining said city, and to prevent any obscene or indecent exhibition, exposure or conduct.

Sec. 40. To make regulations to prevent the introduction of contagious diseases into the city; to make quarantine laws and enforce the same within the city and around it, not exceeding twelve miles next beyond the bounds thereof.

Sec. 41. To grant and issue licenses, and direct the manner of issuing and registering thereof, and the fees to be paid therefor. Bonds may be taken on the granting of licenses for the due observance of the ordinance or regulations of the City Council.

Sec. 42. To license, tax and regulate merchants and retailers, auctioneers, distillers, brewers, brokers, pawnbrokers and money changers; and to impose duties upon the sale of goods at auction.

Sec. 43. To license, tax, regulate or suppress hawkers and pedlers.

Sec. 44. To regulate and license or prohibit butchers, and to revoke their licenses for malconduct in the course of trade; and to regulate, license and restrain the sale of fresh meat and vegetables in the city, and restrain and punish the forestalling of poultry, fruit and eggs.

Sec. 45. To establish and regulate markets and other public buildings, and provide for their erection, determine their location, and authorize their erection in the streets, avenues, or any other public place or places in the city, and not exceeding four miles beyond the bounds thereof.

Sec. 46. To provide for taking the enumeration of the inhabitants of the city, to regulate the burial of the dead, and registration of births and deaths; to direct the returning and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for any default in the premises.

Sec. 47. To appoint watchmen and policemen, and prescribe their duties and powers.

Sec. 48. To regulate the measuring and inspection of lumber, shingles, timber, posts, staves and heading, and all building materials, and all kinds of mechanical work, and appoint one or more Inspectors therefor.

Sec. 49. To regulate the weighing and place and manner of selling hay.

Sec. 50. To regulate the inspection of tobacco, also of flour, meal, pork, beef and other provisions, and salt, to be sold in barrels, hogsheads and other packages.

Sec. 51. To regulate the measuring of wood and the weighing of coal, and the place and manner of selling the same.

Sec. 52. To regulate the inspection of whisky and other liquors to be sold in barrels, hogsheads or other vessels.

Sec. 53. To appoint Inspectors, Weighers and Guagers, and regulate their duties and prescribe their fees.

Sec. 54. To require every merchant, retailer, trader and dealer in merchandize or property of any description, which is sold by measure or weight, to cause their weights and measures to be sealed by the City Sealer and to be subject to his inspection; the standard of which weights and measures shall be conformable to those established by law.

Sec. 55. To establish, make and regulate public pumps, wells, cisterns, hydrants and reservoirs to distribute, control, and so regulate the waters flowing into the city, throughout such channels as may be most advantageous, and to prevent the unnecessary waste of water.

Sec. 56. To erect street lamps and regulate the lighting thereof; and from time to time create, alter and extend lamp districts.

Sec. 57. To establish and regulate public pounds.

Sec. 58. To regulate and license ferries.

Sec. 59. To authorize the taking up, and providing for the safe keeping and education, for such periods of time as may be expedient, of all children who are destitute of all proper parental care, wandering about the streets, committing mischief, and growing up in mendicancy, ignorance, idleness and vice.

Sec. 60. To borrow money on the credit of the city: Provided, That the interest on the aggregate of all the sums borrowed and outstanding, shall not exceed one-fourth of the city revenue, arising from taxes assessed within the corporation during the preceding year.

Sec. 61. The City Council shall have power to make, publish, ordain, amend, and repeal all such ordinances, bye laws, or police regulations, not contrary to the Constitution of the United States and the laws of this Territory, for the good government and order of the city, as may be necessary and expedient to carry into effect the powers vested in the City Council, or any officer of said city by this act; and enforce observance of all rules, ordinances, resolutions, bye laws and police, and other regulations, made in pursuance of this act, by penalties not exceeding one hundred dollars for any offence against the same.

Sec. 62. The City Council shall power within the city, by ordinance, to annually levy and collect taxes on the assessed value of all real and personal estate or property in the city made taxable by the laws of the Territory, for the following named purposes, to wit: Not to exceed five mills on the dollar to defray the contingent expences of the city. Not to exceed five mills on the dollar to open, improve and keep in repair the streets of the city. Not to exceed one and a quarter mills on the dollar to control the waters of said city; and they shall annually apportion and apply said taxes as shall in their judgment be deemed most expedient.

Sec. 63. When the City Council shall deem it expedient for

any especial purpose to borrow money, the interest on which shall not exceed one fourth of the city revenue arising from taxes of the preceding year, the amount of taxes shall not be increased.

Sec. 64. To require, and it is hereby made the duty of every male resident of the city, over the age of eighteen and under the age of fifty years, to labor one day in each year upon the streets; but every person may at his option pay one dollar and fifty cents for the day he shall be so bound to labor: Provided it be paid within five days from the time he shall be notified by the street supervisor. In default of payment, as aforesaid, the same may be collected as other taxes.

Sec. 65. The City Council shall have power by ordinance to regulate the form of assessment rolls, and prescribe the duties and define the powers of Assessors and Collectors. The annual assessment rolls shall be returned by the Assessor on or before the first Monday of April in each year; but the time may be extended or additions made thereto by order of the City Council. On the return thereof the City Council shall fix a day for hearing objections thereto, and any person feeling aggrieved by the assessment of his property may appear at the time specified and make his objections, which shall be heard and determined upon by the City Council, and they shall have power to alter, add to, take from and otherwise correct and revise said assessment roll.

Sec. 66. The Collector shall be furnished, within thirty days after the assessment rolls are corrected, with a list of the taxes to be collected, and if not paid, the Collector shall have power to collect said taxes with interest and cost by suit in the corporate name, or by distress and sale of any property belonging to persons so indebted. The assessor's roll shall in all cases be evidence on the part of the corporation.

Sec. 67. All taxes and assessments, general and special, shall be collected by the Collector or Collectors in the same manner, and with the same power and authority as are given by the law to Collectors of county and territorial taxes: Provided,

the Council shall have power to prescribe by city ordinance the powers, duties and liabilities of Assessors and Collectors.

Sec. 68. The City Council shall have power to make, ordain, and establish all such general regulations for the prevention and extinguishment of fires, fixing of chimneys, flues and stove pipes, as they may deem expedient, to procure fire engines and other apparatus used for the extinguishment of the same, and have the charge and control of, and provide, fit up, and secure engine houses and other places for the keeping and preserving the same: to organize fire, hose and ladder companies, appoint foremen therefor and prescribe their duties, and make rules and regulations for their government, and to impose reasonable fines and forfeitures for a violation of the same.

Sec. 69. The City Council shall have power to provide for the election of Trustees; to appoint a board of School Inspectors, and to prescribe the powers and duties of the same, and to enact such ordinances as may be necessary to carry their duties and powers into effect.

Sec. 70. The City Council shall have exclusive authority and power to establish and regulate the police of the city, to impose fines, forfeitures and penalties for the breach of any ordinance; to provide for the recovery of such fines and forfeitures and the enforcement of such penalties, and to pass, make, ordain, establish and execute all such ordinances not repugnant to the Constitution of the United States or the laws of this Territory, as they may deem necessary, for carrying into effect and execution the powers specified in this act, and for the peace, good order, regulation, convenience, and cleanliness of the city, for the protection of property therein from destruction by fire or otherwise, and for the health, safety and happiness of the inhabitants thereof.

Sec. 71. All ordinances passed by the City Council shall, within one month after they shall have been passed, be published in some newspaper printed in said city, or certified copies thereof be posted up in three of the most public places in the city.

Sec. 85. All officers of the city, created conservators of the peace by this act, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace; commit for examination, and, if necessary, detain such persons in custody forty-eight hours in the city prison or other safe place; and shall have and exercise such other powers, as conservators of the peace, as the City Council may prescribe.

Sec. 86. Nothing in this act shall be so construed as to deprive the present City Council of Great Salt Lake City of any power or authority conferred upon them by the ordinance incorporating said city, and the act amendatory thereto; but said City Council shall possess, exercise and enjoy all the powers and authority heretofore conferred upon them, except so far as such powers and authority have been expressly modified or repealed by this act, until said City Council are superseded by the election and qualification of their successors under this act.

Sec. 87. That "An ordinance to incorporate Great Salt Lake City," approved Jan. 19, 1851, be, and is hereby repealed; and "An act in relation to the assesment, collection, and expenditure of a tax for road and other purposes, within incorporated cities," approved Jan. 4, 1853, so far as the same applies to Great Salt Lake City, be and is hereby repealed.

Sec. 88. The City Council shall publish, in at least one newspaper published in Great Salt Lake City, a quarterly statement of the amount of city revenue, specifying in said statement from whence derived and for what disbursed.

Approved January 20, 1860.

ORDINANCES

OF

GREAT SALT LAKE CITY.

[No. 1.]

AN ORDINANCE REGULATING ELECTIONS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the election for members of the City Council and other elective officers shall be held on the second Monday of February 1862 and every two years thereafter for one Mayor, five Aldermen, nine Councilors, one Recorder, one Treasurer and one Marshal.

Sec. 2. No person shall be elected or appointed to any city office unless he shall have been a constant resident of said city during at least one year next preceding such election or appointment; neither shall any person be eligible to vote at any election unless he is a free white male citizen of the United States, over twenty one years of age and has been a constant resident in said city during the six months next preceding said election.

Sec. 3. No officer or soldier of the United States army, or other persons subject to their military authority, is eligible to hold any office or vote at any election in this city unless his home and place of residence was therein at the time of engaging in such service.

Sec. 4. The City Recorder shall cause a notice of the time

and place, and number, and kind of officers to be elected, to be posted up in three public places within the city, at least five days previous to the time of holding said elections.

Sec. 5. The City Council shall appoint three Judges, a majority of whom shall constitute a quorum, and two Clerks of election, who shall, before entering upon their duties, take an oath for the faithful performance thereof; said Council shall also furnish the necessary stationery and ballot box, and the voting shall be by ballot.

Sec. 6. The place of holding said elections shall be determined by the City Council, and the polls shall be open to receive votes at the hour of eight o'clock in the morning and continue open until six o'clock in the evening. Each elector shall provide himself with a ballot containing the names of the persons he wishes elected, and the office he would have them fill. When such ballot is presented, one of the Judges shall number and deposit it in the ballot box, and the Clerks shall then write the name of the elector, and opposite it the number of his vote.

Sec. 7. When the time for holding the election shall have expired, the Judges shall seal up the ballot box containing the votes and the list of the names of the electors, and transmit the same within twenty-four hours to the City Recorder, who shall immediately proceed in the presence of the Mayor or any Alderman of the city to unseal the ballot box, and count and compare the votes with the list of names, and the persons respectively receiving the highest number of votes for said offices shall be declared elected, and he shall make a brief abstract of the offices and names voted for, and the number of votes each person received, a copy of which abstract he shall post up in his office and in the City Hall.

Sec. 8. Any person designing to contest said election shall make his intention known by setting forth in a plain, clear and definite manner the grounds of his complaint, in writing, to the City Recorder, within three days after the abstract shall have been posted up, and the votes and list shall be preserved until

the contest is ended. On expiration of the time, and no such notice being given, the City Recorder shall destroy the votes and list. In case of a tie of votes for two or more persons for the same office, the City Council shall determine by ballot which shall take his seat.

Sec. 9. The City Recorder is hereby required to leave with each person elected, or at his usual place of residence within five days after his election, a written notice thereof, and each person so notified shall, before entering upon the duties of his office, take and subscribe an oath or affirmation that he will support the Constitution of the United States, the laws of this Territory, and the ordinances of this city, and that he will well and truly perform the duties thereof to the best of his skill and ability.

Sec. 10. The Mayor and Aldermen, before entering upon the duties of their respective offices shall give bonds with approved securities, each in the penal sum of ten thousand dollars to the people of Great Salt Lake City, conditioned for the faithful performance thereof, which shall be approved by the Recorder and filed in his office. The Mayor shall also in addition to the usual oath, swear or affirm that he will devote so much of his time to the duties of his office as an efficient and faithful discharge thereof may require; and shall from time to time give the Council such information, and recommend such measures as he may deem advantageous to the city.

Passed February 28, 1860.

[No. 2.]

AN ORDINANCE CREATING CERTAIN OFFICES AND RELATING TO THE TENURE OF OFFICES.

Sec. 1. Be it ordained by the City Council of Great Salt

Lake City, that there shall be and hereby is created the following named offices, which shall be filled by said Council, to wit:—Auditor of Public Accounts, Assessor and Collector, Supervisor of Streets, Fence Viewers, Captain of Police, Water Master, City Sexton, Surveyor, Inspector of Buildings, Inspector of Wood and Lumber, Sealer of Weights and Measures, and Inspector of Spirituous and Malt Liquors, the duties of which shall be as defined by ordinance.

Sec. 2. All officers appointed during the pleasure of said Council, unless otherwise provided for by ordinance.

Passed February 28, 1860.

[No. 3.]

AN ORDINANCE DECLARING PUBLIC AND NAMING THE STREETS OF GREAT SALT LAKE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all the streets as plotted in the several surveys of Great Salt Lake City be and the same are hereby declared public.

Sec. 2. And shall be known by names as follows:—The street running on the south side of what is known as the Temple Block in said city, shall be known by the name of South Temple street, and the next one south as First South street, and so on in regular order of number to the southern limits of said city. That the street running on the west side of said Temple Block be known by the name of West Temple street, and the next one as First West street, and so on in regular order of number to the western limits of said city. That the street running on the north side of said Temple Block be known by the name of North

Temple street, and the next one north as First North street, and so on in regular order of number to the northern limits of said city. That the street running on the east side of said Temple Block be known by the name of East Temple street, and the next one as First East street, and so on regular order of number to the eastern limits of said city.

Sec. 3. Nothing in this ordinance shall be so construed as to prohibit those who have received grants to fence up certain streets, from continuing said streets fenced and from holding the right of said streets as heretofore granted by the City Council.

Passed February 28, 1860.

[No. 4.]

AN ORDINANCE DIVIDING THE CITY INTO WARDS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the city be and the same is hereby divided into five municipal wards, as follows, to wit:—All that district of country within the city limits, lying between the centre of Third South street and the centre of Ninth South street and east of the centre of East Temple street, shall constitute the First Ward; all west of the centre of East Temple street, and between the centre of South Temple street and the centre of Ninth South street, the Second Ward; all north of the centre of South Temple street, and west of the centre of East Temple street, the Third Ward; all east of the centre of East Temple street, and north of the centre of Third South street, the Fourth Ward; and all that portion of the city lying south of the centre of Ninth South street, the Fifth Ward of said city.

Passed February 29, 1860.

[No. 5.]

AN ORDINANCE DECLARING THE TIME WHEN ORDINANCES AND RESOLUTIONS SHALL BE IN FORCE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all ordinances and resolutions, passed by said council, shall be in force from and after their publication, unless otherwise provided for.

Sec 2. This ordinance to be in force from and after its publication.

Passed February 29, 1860.

[No. 6.]

AN ORDINANCE REGULATING THE MEETINGS OF THE CITY COUNCIL.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that said council shall hold their regular sessions on the first and third Tuesday of every month.

Passed February 29, 1860.

[No. 7.]

AN ORDINANCE RELATING TO CITY OFFICERS.

PART 1.—RECORDER.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Recorder shall, before entering upon the duties of his office, take an oath of office and give bonds with

approved security, to the people of Great Salt Lake City, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties thereof, which said bonds shall be filed with and approved by the Mayor of said city.

Sec. 2. It shall be the duty of the Recorder to keep the records, papers, and seal of said city, and record, in order of date, all ordinances and resolutions passed by the City Council, in a book to be kept for that purpose; and, in a separate book, keep a record of the proceedings of said council, which records shall at all times be open to the electors of said city.

Sec. 3. The Recorder shall pay over all money or other property belonging to the city coming into his hands by virtue of his office, to the Treasurer or such other person to whom it may be due; further, he shall have power to take acknowledgments, administer oaths, receive and approve bonds, he shall also have and keep a plot of all surveys within the city and record all deeds, transfers or other instruments of writing that may be presented to him for that purpose, and he shall deliver to his successor in office all property, books, records and proceedings of the City Council and shall certify on each instrument of writing recorded by him, the book, page and date of the record.

Sec. 4. The Recorder shall be entitled to fifty cents for the first one hundred, and twenty cents for each subsequent one hundred words, for each instrument of writing recorded by him, including the acknowledgment; and fifteen cents a lot for each plot recorded including the letters and figures thereon and the certificate of record.

PART 2.—TREASURER.

Sec. 1. The Treasurer shall be qualified and give bonds in the same manner as for Recorder, provided that the bonds shall be in the penal sum of ten thousand dollars, which bonds shall be approved by and filed with said Recorder.

Sec. 2. The Treasurer shall receive all moneys or other property not otherwise provided for belonging to the city, that may be raised by taxation or otherwise, and shall keep, in suitable

books, an account of his receipts and disbursements, to whom made and on what account, which said books shall be the property of the city.

Sec. 3. He shall pay all moneys that may come into his hands by virtue of his office, upon orders signed by the Auditor of Public Accounts, and shall, on or before the first day of December, annually report to the City Council a true account of his receipts and disbursements, with the necessary vouchers for the same, and shall deliver to his successor in office all books, papers, moneys, accounts, or other property belonging to the city.

Part 3.—Marshal.

Sec. 1. The Marshal shall be qualified, and give bonds in the same manner as for the Treasurer; provided he shall give bonds in the penal sum of five thousand dollars.

Sec. 2. The Marshal shall by himself or deputies attend all regular and special meetings of the City Council; have charge of the City Hall, and see that the same is lighted and warmed when necessary; act as doorkeeper or sergeant-at-arms; execute all orders of the Mayor or council; preserve the peace and good order of the city; quell all riots, arrest and bring disorderly persons before the Mayor or Alderman for trial, either with or without process; serve all processes issued by the Mayor or any Alderman to him directed; and see that all orders and judgments of said courts are carried into effect, also see to the peace and good order of all public meetings; and said Marshal may at any time call on the Captain of Police, or in the absence of the captain, any policeman, who is hereby required to assist in maintaining the peace and good order of the city.

Sec. 3. The Marshal shall have power to appoint one or more deputies as he may deem necessary, for whom he shall be responsible, whose term of office shall expire with that of the Marshal, or may by him be removed at pleasure, which said deputy or deputies shall, before acting as such, take an oath for the faithful performance of the duties of their office.

PART 4.—AUDITOR OF PUBLIC ACCOUNTS.

Sec. 1. There shall be an Auditor of Public Accounts, who shall be appointed, qualified and give bonds in the same manner as for the Recorder, provided the bonds shall be in the penal sum of ten thousand dollars.

Sec. 2. It shall be the duty of the Auditor to examine and audit all public accounts connected with the financial affairs of the city, and issue orders upon the Treasurer in liquidation of claims allowed or appropriations made by the City Council.

Sec. 3. He shall have the custody of, and keep all books, papers, records, documents, vouchers and all conveyances, leases, mortgages, bonds and other securities appertaining to the fiscal affairs and the property of the city, which are not required by ordinance to be kept in some other office or place, and to have charge of all property of the city where no other provision is made by ordinance for the keeping thereof.

Sec. 4. The Auditor shall make a report to the City Council on the first Tuesday in June next, and quarterly thereafter, setting forth a statement of the amount of city revenue, specifying in said statement from whence derived and for what disbursed; he shall deliver to his successor in office all books, moneys, accounts, or other property in his custody belonging to the city, as soon as his successor shall be qualified.

PART 5.—SEALER OF WEIGHTS AND MEASURES.

Sec. 1. There shall be a Sealer of Weights and Measures appointed by said council, who shall, before entering upon the duties of his office, take an oath and give bonds in the penal sum of one thousand dollars conditioned for the faithful performance of the duties thereof, which said bonds shall be approved by and filed with the City Recorder.

Sec. 2. The Sealer of Weights and Measures shall, twice in every year from the date of this ordinance, at intervals not exceeding seven months, and oftener if required, examine and test

the accuracy of all weights, measures, scales, or other things used by merchants and others for weighing or measuring anything bought or sold by them, to stamp with a suitable seal to be prescribed by the Mayor, all weights, measures and scales so used, which he may find conformed, or which may be made to conform, to the standard prescribed by the laws of this Territory, and to deliver to the owner thereof a certificate of their accuracy.

Sec. 3. It shall further be his duty to register the names of all persons whose weights, measures or scales he may find to be accurate, and of all persons who fail to have the same corrected when not so found, he shall seize in the name of the city all false weights, measures and scales which he may find and which the owner shall fail immediately to have made conformable to the provision of this ordinance, and immediately report such persons to the Mayor or Aldermen; he shall also further report in writing every six months to the City Recorder the names of the persons and number of weights, measures and scales examined and found by him to be correct.

Sec. 4. All persons using weights, measures, scales, or other things for weighing or measuring any article bought or sold in this city shall cause the same to be examined, tested and sealed as hereinbefore provided, and any person failing so to do shall be liable to pay a fine of not less than one nor more than fifty dollars for each offence, and all damages accruing to any party injured in consequence of any such failure or neglect.

Sec. 5. The Sealer of Weights and Measures shall be entitled to receive for each examination, testing, sealing and certifying as hereinbefore required from the owner of the same as follows:—

Any steelyards, or beam, ground, floor, platform, counter, or other scales by which may be weighed not exceeding two hundred pounds - - - - - 25c.

Any such instrument by which may be weighed over two hundred and less than six hundred pounds - - 50c.

Over six hundred and less than twelve hundred pounds $1.00
Over twelve hundred pounds - - - - - 1.50
For any yard stick, dry or liquor measure - - - 10c.
Any nest or set of measures - - - - - 25c.

and the weights attached to any scale shall as to the compensation of the Sealer of Weights and Measures be considered a part of the scale; provided that where any such weight, measure or instrument, upon subsequent examination, be found correct, and shall not be required to be stamped a second time, the aforesaid Sealer of Weights and Measures shall not receive more than one-half the compensation provided for.

Sec. 6. The Sealer of Weights and Measures shall examine and test any of the before-mentioned instruments for weighing or measuring on application by any person who shall tender to him the fee, which, by the preceding section, he is authorized to receive, and he shall, in every case where he may employ labor or material in making accurate any weight or measure, be entitled to extra compensation therefor, and to retain the article upon which such labor or material has been employed until such compensation be paid.

Passed March 2, 1860.

[No. 8.]

AN ORDINANCE DEFINING THE DUTIES OF CITY SEXTON.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the City Sexton before entering upon the duties of his office shall take an oath and give bonds in the penal sum of five hundred dollars conditioned for the faithful performance

of the duties thereof, which said bond shall be approved by and filed in the office of the City Recorder.

Sec. 2. It shall be the duty of the City Sexton to take charge of the public burying grounds in said city; to see to the digging of graves; furnishing of coffins, and conveying the dead when called upon so to do by any who wish to bury in said grounds. And he is hereby authorized to sell lots therein and to collect all dues arising from any such sales, and pay the same every three months into the city treasury, and make a report of such sales and the amount arising therefrom on or before the first day of June next and quarterly thereafter; he shall furnish each purchaser of a lot or lots with a certificate of the same, which certificate, when recorded by the City Recorder, shall constitute a legal title to possession of said lot or lots and such lots or parts of lots together with all thereunto appertaining shall be forever exempt from execution.

Sec. 3. It is hereby made the duty of the City Sexton to keep a record of all deaths of persons buried in said burying ground which shall come under his observation, or shall be reported to him by the citizens of said city, which record shall include the name of the person deceased, with his or her parents' names; where and when born; the time of death and the cause thereof; together with the name of the physician or nurse who attended such person.

Sec. 4. The owners of lots or the relatives or friends of deceased persons buried in said grounds are hereby required to erect bounds or monuments at the corner of their lots, or head boards with the name of the deceased thereon indicating the lot or grave of persons so buried, and to report the same together with the information required in the preceding section, to the City Sexton, and if any person fails to erect such bounds or monument or board it shall be done by the City Sexton at the expense of the person owning or burying in such lots.

Sec. 5. And that for all services rendered by the City Sex-

ton as required in this ordinance he shall be entitled to compensation as follows:—

For furnishing and staining plain coffin, per foot, running measure - - - - - - - - - $1.25
For digging grave four feet in length and under, and four and a half feet deep - - - - - - 2.00
For all graves over four feet in length and five feet and a half deep - - - - - - - - - 3.00

The above prices shall include the replacing of the earth in all graves dug by said Sexton.

For conveying coffin to any part of city - - - - 50c.
For conveying the dead from any part of said city to the burying ground - - - - - - - $2.50
For recording, as required in the 3d section of this ordinance - - - - - - - - - - 25c.

Sec. 6. Be it further ordained that any person or persons who shall be found burying in said grounds, without first obtaining the lot on which they bury, or permission of the person owning the lot, or of the City Sexton, shall be liable if required to disinter the body, and pay a fine in any sum not exceeding fifty dollars for each offence.

Sec. 7. Any person or persons who shall disinter any body buried in said grounds, excepting under the direction of the City Sexton; or shall injure any monument, shrub, tree, or any other property belonging to said grounds or being thereon, shall be liable to pay all damages, and a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding six months, or both such fine and imprisonment.

Passed March 3, 1860.

[No. 9.]

AN ORDINANCE IN RELATION TO BURYING THE DEAD.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that no person shall be allowed to inter their dead within the limits of this city, except in the public burying ground, unless by permission of the City Council.

Sec. 2. Any person or persons violating the requirements of this ordinance shall be liable to pay a fine in any sum not less than twenty, nor more than fifty dollars, at the discretion of the court having jurisdiction.

Passed March 3, 1860.

[No. 10.]

AN ORDINANCE RELATING TO SUPERVISOR OF STREETS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Supervisor of Streets shall be appointed by the City Council, and shall, before entering upon his duties, take an oath of office and give bonds, with approved security, to the people of Great Salt Lake City, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties thereof, which said bonds shall be approved by and filed with the City Recorder.

Sec. 2. The Supervisor may appoint assistant supervisors in the various wards as he may deem necessary, who shall be under his direction.

Sec. 3. It shall be the duty of the Supervisor to see that all ordinances, passed by the City Council, relating to improvements of streets, sidewalks and ditches, are complied with. It shall also be his duty to collect and expend the road tax, under the direction of the City Council, together with a poll tax of one days' labor from every male resident of the city over the age of eighteen and under the age of fifty years, or one dollar and fifty cents an equivalent therefor.

Sec. 4. It shall further be his duty to give to each person required to labor upon the streets not less than three days' notice of time and place where such labor is required to be done, and any person failing to attend shall be notified again, and, if upon the second notice he shall neglect or refuse to perform said labor, the Supervisor shall make returns of all delinquents to the City Collector, which shall be done on or before the first day of December of each year, and he shall proceed thereon as with other delinquent tax payers.

Sec. 5. The Supervisor shall make a full report quarterly, in writing, to the Auditor of the amount of road tax collected; where and how expended; and further, it shall be his duty to take charge of all city property, tools or other material kept for working the streets.

Passed March 3, 1860.

[No. 11.]

AN ORDINANCE CREATING THE OFFICE OF CITY WATER MASTER AND DEFINING THE DUTIES THEREOF.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that there shall be and hereby is created the office of

Water Master, who, before entering upon the duties of his office, shall take and subscribe an oath for the faithful performance of the duties thereof. It shall be his duty to see to the erection and repairs of such gates, locks, or sluices as may be necessary to admit into the city the waters rising and flowing therein, and divide the same through the city as shall best serve the public interest, for irrigation, domestic and other purposes.

Sec. 2. It shall be the duty of the City Water Master to appoint one or more assistant water masters in each of the bishops' wards of the city, who shall act under his direction, and the assistant water masters shall distribute the water to the inhabitants of their respective wards, as they may deem necessary and just.

Sec. 3. Any person or persons who shall remove, break, or otherwise injure or destroy any dam, gate or sluiceway, shall be liable to pay a fine of not less than one nor more than one hundred dollars, and pay all damages.

Sec. 4. Any person or persons who shall take or alter the course of the water intended for irrigation or other purposes, without the consent of the Water Master, or the person then holding the right of said water, shall be liable to a fine of not less than one, nor more than five dollars for every such offence.

Sec. 5. It shall be the duty of the inhabitants of each bishops' ward to make and keep in repair such dams, gates, or sluiceways as may be necessary to admit an equal and fair distribution of water to their several wards, to be under the control of the Water Masters in each ward.

Sec. 6. It shall be the duty of the City Water Master to adjudicate all difficulties arising from the distribution of water in the several wards.

Sec. 7. It shall also be the duty of the City Water Master to make a report of his proceedings on or before the first day of June next, and quarterly thereafter, to the City Council, and

lay before them such designs for improvements as may be necessary for their action.

Passed March 3, 1860.

[No. 12.]

AN ORDINANCE IN RELATION TO WATER DITCHES AND SIDE WALKS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all owners or occupiers of lots in said city are hereby authorized and required to dig suitable ditches to convey the waters across the side walks to or from their respective lots.

Sec. 2. Any person or persons having ditches running across the side walk to or from their respective lots are hereby required to bridge or culvert the same, and any person or persons who make ditches across the side walks must keep them in such order as to prevent the waters thereof from overflowing.

Sec. 3. Any person or persons having ditches for their convenience running in front of their lots, between the street and side walks, or having ditches in their lots on the line of fence, are hereby required to embank said ditches to keep them from overflowing and damaging said streets or side walks.

Sec. 4. Any person or persons erecting any dam or sluiceway in the ditches in front of their lots are hereby required to do so under the direction of the City Water Master or any assistant water master having jurisdiction, and must keep the same in proper order, as provided for in the third section.

Sec. 5. The Water Master is hereby required to see that owners or occupiers of lots making water ditches comply with the requirements of this ordinance, and notify them of any neglect or any breach of the same, and it is hereby made his duty after

such sufficent notification and a noncompliance, to report the same to the Mayor or any Alderman of this city, who shall cause the offender to be brought before him, who upon conviction shall be liable to a fine in any sum not exceeding twenty-five dollars for each offence, and to pay all damages that may accrue therefrom.

Sec. 6. Any person or persons building a bridge over a ditch, running across any side walk, or between any side walk and street, and such bridge, for the want of the proper repairs, damages any side walk or street, or prevents the free travel of any foot passenger, horse or team of any kind, or causes any damage to any other property, such person or persons, after a notification to repair said bridge, upon a sufficient time being given, fails to make such repairs, shall be liable to double the amount of fine set forth in the preceding section, and the payment of all damages accruing from such neglect.

Sec. 7. Any person or persons holding any grant from the City Council of any water privileges for mills, irrigation or other purposes, who shall suffer any damage to any street, side walk, ditch, or bridge, as hereinbefore specified in the preceding sections of this ordinance, or any lots to be flooded with water, or any damage to any building, or any other property, and upon evidence being adduced that such damage was through a failure on the part of the person or persons holding said grant of water privileges, such person or persons shall be liable to the penalties specified in the preceding section, and the forfeiture of the grant he may hold from said council.

Sec. 8. All persons are hereby forbidden to dig ditches in any of the streets of this city, except they dig them twenty feet from the line of their lots; except by permission of the Water Master, and any person or persons infringing upon this ordinance shall forfeit and pay a sum not less than one dollar, nor exceeding ten dollars.

Passed March 3, 1860.

[No. 13.]

AN ORDINANCE RELATING TO THE WATER AND WATER DITCHES FOR THE FARMING LANDS IN GREAT SALT LAKE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all owners or occupiers of farming land within the limits of said city are hereby required to make their proportion of good and sufficient water ditches for irrigation, and keep the same in repair, under the direction of the Water Master having jurisdiction, who shall be required to give reasonable notice of the time and place such work is to be done.

Sec. 2. That all persons are hereby forbidden to run water or dig ditches across any of the public roads or streets within the limits of this corporation, for the purpose of conveying water for irrigation, or other purposes, unless they stone, pave, or culvert the same, under the direction of the Supervisor.

Sec. 3. Any person or persons infringing upon this ordinance, or refusing to comply with its requirements shall be liable to pay all damage arising therefrom, and a fine not exceeding one hundred dollars as may be assessed by any court having jurisdiction.

Passed March 5, 1860.

[No. 14.]

AN ORDINANCE IN RELATION TO REMOVING OBSTRUCTIONS FROM THE SIDE WALKS AND STREETS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that every holder of lots on the streets that are now

opened, is hereby required to remove from the streets and side walks, fronting said lots, wagons, lumber, wood, cowyards, boxes, fencing, or other obstructions; and any person who shall leave or fail to remove any of the above articles, or in any way obstruct any of the side walks, streets or alleys that may or shall be opened; except by permission of the City Council, shall be liable to pay a fine in any sum not less than five nor more than fifty dollars for each offence.

Sec. 2. Any person riding, driving or leading any horse, mule, or other animal or team upon any side walk in this city, shall be liable for all damages done to side walk, trees, fences or other improvements, around said walk, and a fine of not less than one, nor more than twenty-five dollars for every such offence. Provided nothing in this section shall be so construed as to prohibit persons from crossing the side walk to or from their premises.

Sec. 3. All persons are hereby forbidden to obstruct the side walks or streets by playing at ball, quoits, marbles, jumping, rolling of hoops, flying of kites or any other games or amusements calculated to frighten horses or teams, or to annoy or obstruct the free travel of any foot passenger or team, under the penalty of a fine of not less than one, nor more than ten dollars, or imprisonment not to exceed ten days for each offence, and pay all damages.

Passed March 8, 1860.

[No. 15.]

AN ORDINANCE REGULATING THE SIDE WALKS, SHADE TREES AND WATER DITCHES IN PLOT D, GREAT SALT LAKE CITY.

Be it ordained by the City Council of Great Salt Lake City, that the side walks in plot D, Great Salt Lake City, be made

ten feet wide, and that the inside edge of the water ditches be the outside line of the side walk, and all shade trees, shall be set eight and a half feet from the line of the lots.

Be it further ordained that any person violating any portion of this ordinance shall be liable to pay a fine of not less than one, nor more than one hundred dollars for each offence, and all damages that may accrue from such violation.

Passed March 6, 1860.

[No. 16.]

AN ORDINANCE AUTHORIZING A CITY POLICE AND DEFINING THE DUTIES OF POLICEMEN.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that there shall be a Captain of Police, who shall be appointed by the City Council, and before entering upon the duties of his office shall take an oath to faithfully discharge the duties thereof.

Sec. 2. The Captain of Police shall have the direction and control of the Police, who shall in any case of breach of ordinance arrest the person or persons, or report the same forthwith to the Mayor or any Alderman, and shall be under the direction of the Mayor in maintaining the peace and good order of the city. He shall report quarterly, or oftener if required, in writing to the City Council a true and certified account of the number of arrests and order of crimes that have come within his knowledge, and also the kind and amount of service performed by each policeman.

Sec. 3. The Mayor is hereby authorized to raise a City Police, and appoint any number of Policemen which, in his

judgment, the exigency of the times require; assign them their duties, and have power to control and direct the same.

Sec. 4. The Mayor and Captain of Police are authorized and required to make all needful rules and regulations, not inconsistent with the ordinances of the city for the government and control of the police department.

Sec. 5. Every Policeman appointed shall take an oath for the faithful performance of his duties as policeman, and shall see that the ordinances of the city are complied with; they shall also strictly watch the conduct of persons of known or suspected bad character, and report such persons to the Captain of Police whose duty it shall be to report to the Mayor without delay.

Sec. 6. Any Policeman may arrest and bring the offenders before the Mayor or any Alderman, with or without process, and shall be subject to the orders and directions of the Captain of Police.

Passed March 9, 1860.

[No. 17.]

AN ORDINANCE IN RELATION TO THE ASSESSOR AND COLLECTOR, AND ASSESSING AND COLLECTING TAXES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Assessor and Collector shall be appointed by the City Council, and before entering upon the duties of his office shall be qualified and give bonds in the sum of ten thousand dollars, conditioned for the faithful performance of the duties thereof; which bonds shall be approved by and filed with the City Recorder.

Sec. 2. The Assessor and Collector is hereby empowered to

administer oaths, in the discharge of his official duties, and may require persons to give a statement of their taxable property under oath.

Sec. 3. It shall be the duty of the Assessor and Collector to assess all property not exempt by law within the limits of the city at its fair cash value, and make returns to the City Council of the same on or before the first of April, 1860. And said Assessor shall thereafter assess and make returns to the City Council between the first of February and the first of May annually: Provided, that on merchandise the time of assessment may be extended to the first of November of each year.

Sec. 4. All goods brought into this city by transient traders shall be assessed and the tax collected when they are exposed for sale; and any person or persons, being dissatisfied with their assessment, if the same has been made after the general assessment list has been returned, may petition the City Council to adjust the same.

Sec. 5. In making assessments the Assessor shall provide himself with suitable books, properly ruled for such purposes at the expense of the city, and shall make his assessment list in alphabetical order; he also shall pursue that course, which in his judgment, will enable him to complete the assessment in the most uniform manner, and in the shortest time. To aid him therein, he may, when necessary, leave with any person, or at his residence, a copy of the blank form of the assessment list, with the name of the person required to fill the same, and a reasonable date thereon, at or before which it must be returned, and any person furnished with said list, must comply with the requirement.

Sec. 6. It shall be the duty of the Assessor and Collector to return the assessment list on or before the second Saturday of April, 1860, and annually thereafter on the first Saturday in May.

Sec. 7. It shall be the duty of the City Council to sit on the second Saturday of April, 1860, and annually thereafter on the

first Saturday in May, to hear complaints (if any) and adjust the same, and to determine the Assessor and Collectors' compensation, and also determine the rate per cent. for the current year, which shall not exceed five mills on the dollar, to defray the contingent expenses of the city; not to exceed five mills on the dollar to open, improve and keep in repair the streets of the city; not to exceed one and a quarter mills on the dollar to control the waters of said city; and they shall annually apportion and apply said taxes as shall in their judgment be deemed most expedient.

Sec. 8. After the adjournment of the council, the Recorder shall write upon the head of the tax list, the rate per cent. for city, road and water purposes for that year; and set each person's amount of city, road and water tax in the proper columns opposite his name; he shall also furnish the Assessor and Collector and the Supervisor of the city with a correct copy of the list, with the amount of tax for city, road and water purposes affixed to each name in their respective wards, and file the original list with the office records.

Sec. 9. The Assessor and Collector shall proceed to collect the amount of tax assessed for city and water purposes, together with all delinquent road taxes put into his hands by the City Supervisor, also all dues for licenses put into his hands by the City Recorder, and pay the amount collected into the city treasury, quarterly or oftener if required, and take receipts for all payments, and shall, on or before the first day of December, make a full report to, and settlement of all accounts with the Auditor.

Sec. 10. It shall be the duty of the Auditor to keep an account with the Assessor and Collector, debiting him with the amount of tax for city and other purposes and crediting him with amount of tax paid in and the compensation allowed him for his services.

Sec. 11. The Assessor and Collector on receiving the tax list for collection shall furnish to each tax payer, or leave at his

usual place of residence a written notice of the amount of tax due from him, and any person neglecting to pay his tax for twenty days thereafter it shall be deemed a refusal. In case any person refuses to pay his tax when required, the Assessor and Collector is authorized and empowered to take and sell in manner most advantageous for the owner, enough taxable property belonging to the delinquent to pay his tax, and cost of collection, and if said property is to be sold at public sale, he shall give not less than ten days notice of the time, place and kind of property.

Sec. 12. All taxes and assessments, general or special, levied or assessed by the City Council under this ordinance shall be a lien upon the real estate upon which the same may be imposed, voted or assessed, for two years from and after the corrected assessment roll shall have been confirmed; and on personal estate from and after the delivery of the tax list for the collection thereof, and no sale or transfer shall affect the lien.

Sec. 13. The Assessor and Collector is required and empowered to collect taxes at the rate of the previous year from any person he presumes will remove from the city before the regular time for collection, and to assess any person or property, omitted during the time for assessments, and must report his doings under this section, in the same manner as though done within the regular time.

Passed March 16, 1860.

[No. 18.]

AN ORDINANCE IN RELATION TO COMMON SCHOOLS IN GREAT SALT LAKE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that said city be, and is hereby divided into school districts, corresponding in number and boundary with the several bishops' wards.

Sec. 2. The bishops of the several school districts are hereby authorized to call a meeting of the members of their respective districts, at which meeting there shall be elected three Trustees for each district, whose term of office shall be during the pleasure of the people; said Trustees may appoint their own clerk; and they are hereby authorized and required to call meetings of all legal voters and tax payers in their districts, for the purpose of allowing the voters to determine the nature and extent of the improvements for school purposes, and the amount of tax to be assessed and collected, which shall be governed by the votes of the majority; and either of said Trustees are empowered to call a meeting for the purpose of filling any vacancy that may occur in their number by removal or resignation.

Sec. 3. It shall be the duty of the Trustees to employ teachers and superintend the schools in their respective districts; and they shall take and subscribe an oath for the faithful performance of their duty, to be filed in the office of the City Recorder.

Sec. 4. The Trustees of the several districts shall make an annual report to the City Council, of the average number of scholars who have attended school during the past year, the amount of improvements, buildings and repairs for said school, and the tax collected and expended thereon; and in case either of said Trustees fail to perform their official duties, the tax

payers of said district may enter a complaint to the City Council against said Trustees.

Sec. 5. Be it further ordained, that there shall be a Board of Inspectors appointed by the City Council for the several districts of the city, consisting of three competent persons, whose duty it shall be to hear and determine the qualifications of school teachers. All applicants of a good moral character, that are considered competent, shall receive a certificate to that effect, signed by either member of the board.

Passed March 12, 1860.

[No. 19.]

AN ORDINANCE RELATING TO FENCING, AND DEFINING A LAWFUL FENCE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all persons owning or occupying lots within the limits of said city, are hereby required to make a good and lawful fence on the street line of their lots, and keep the same in good repair.

Sec. 2. Any person failing to comply with the requirements of this ordinance shall be liable to pay all damages that may accrue from such neglect, together with the Fence Viewers' fees, and shall have no right to impound any citizen's animal for any damage it may do in such lot or enclosure. And any animal found in any lot or enclosure, doing damage and having broken through a lawful fence, shall be taken to the owner, if known by brand or otherwise, who shall be liable to pay all damages, which shall be appraised by three competent persons; and if the owner cannot be found, such animal or animals may be im-

pounded and held for the amount of damage, until redeemed by the owner thereof.

Sec. 3. A lawful fence shall be not less than four and a half feet high, properly proportioned, and may be composed of any kind of good fencing materials, put together in such a manner as to form a good substantial fence, as above specified.

Passed March 12, 1860.

[No. 20.]

AN ORDINANCE DEFINING THE DUTIES OF FENCE VIEWERS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that it is hereby made the duty of the several Fence Viewers of said city, to examine any fences in their respective wards when called upon by any person; and determine and give a certificate of the condition of such fence, for which he shall be paid a reasonable compensation by the person requiring such service.

Passed March 16, 1860.

[No. 21.]

AN ORDINANCE IN RELATION TO JOINT ENCLOSURE.

Be it ordained by the City Council of Great Salt Lake City, that any person owning lots or farming lands within the limits

of said city, wishing to fence the same with a good substantial wall or lawful fence; and the person or persons owning lands adjoining thereto or running on the line of said fence who shall neglect or refuse to make their portion thereof, after notification, a lawful fence may be made by the person joined, and the expense of making such fence shall be paid by the aforesaid person or persons for such neglect or refusal.

Passed March 12, 1860.

[No. 22.]

AN ORDINANCE REGULATING THE MANUFACTURE AND SALE OF SPIRITUOUS AND FERMENTED LIQUORS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person or persons manufacturing, selling or vending spirituous or fermented liquors within the limits of said city, shall be required to obtain a quarter-yearly license, subject to renewal monthly, for which he shall pay into the City Treasury, in advance, a sum of not less than ten dollars nor more than one hundred and fifty dollars per month.

Sec. 2. Any person or persons so licensed who shall be found selling or otherwise disposing of spirituous or fermented liquors upon the Sabbath day, shall be liable to forfeit his license and pay a fine into the City Treasury not to exceed one hundred dollars.

Sec. 3. Any person, within the limits of this city, who shall be found selling or giving spirituous or malt liquors to an Indian, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not to exceed thirty days, or both fine and imprisonment at the discretion of the court.

Sec. 4. All persons so licensed shall institute such regulations in their houses as shall restrain drunkenness, riotous or disorderly conduct, and shall keep a cleanly, well-regulated and respectable establishment, which shall not be open for the sale of liquors between the hours of ten o'clock at night and four o'clock in the morning; and any person so licensed, who shall permit drunkenness, riotous or disorderly conduct on his premises, shall be liable to pay a fine of not less than five nor more than one hundred dollars for each offence.

Sec. 5. Licenses granted to merchants for the sale of spirituous liquors shall not authorize the sale thereof in less quantity than one gallon, except such as are imported in bottles; and in no case to be drank upon the premises. Apothecaries having license to sell spirituous liquors may sell in any quantity for medicinal purposes.

Sec. 6. Any person neglecting or refusing to comply with the requirements of this ordinance, for the violation of which the penalty is not otherwise provided, shall be liable to pay a fine in any sum not less than ten, nor exceeding one hundred dollars.

Passed March 12, 1860.

[No. 23.]

AN ORDINANCE IN RELATION TO THE INSPECTION AND SALE OF LIQUORS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all persons importing or vending spirituous liquors within the limits of this city are hereby required to have them inspected by the City Inspector of liquors, previous to said liquors being offered for sale.

Sec. 2. It shall be the duty of said Inspector of Liquors to inspect all liquors that may be offered for sale, according to the proof standard of Syke's hydrometer, and mark upon the barrel or vessel, containing said liquors, the name and strength of such liquors, and the date of the inspection with his signature. Any person or persons who shall offer for sale liquors under fifteen below proof, shall be liable to forfeit the same to the city, unless sold as below the marked standard proof set forth in this section, and at such reduced price as the reduced strength shall warrant.

Sec. 3. The City Inspector of Liquors shall be required to gauge all casks containing liquors when called upon so to do.

Sec. 4. That the Inspector shall be entitled to the following fees, viz:—

For a single inspection of any cask or vessel of liquor,	$1.00
For over one cask and not exceeding ten, each - -	50
For all over ten casks in the same lot, " - -	25
For gauging a single cask - - - - -	1.00
For gauging a lot of five casks or less over one, each	50
For all over five casks in the same lot, "	25

Sec. 5. All liquors offered for sale within this city shall be liable to inspection at any time: Provided, the owner thereof shall not be liable to pay for but one inspection of the same lot of liquors. Any person who shall alter, or change, or deface the Inspector's marks made on any barrel, cask or other vessel containing liquors so inspected and offered for sale, shall be liable for each offence to a fine in any sum not less than ten nor more than one hundred dollars, or imprisonment not to exceed six months, or both, at the discretion of the court having jurisdiction.

Sec. 6. It shall be the duty of the City Inspector of liquors to report annually, the quantity, kinds and strength of liquors inspected by him, and the persons offering said liquors for sale during the year.

Sec. 7. It shall further be the duty of the Inspector to report forthwith to the Mayor or any Alderman all liquors which he may find adulterated or changed from the proof marked on said cask or vessel.

Sec. 8. The said Inspector shall, before entering upon the duties of his office, take an oath and give bonds in the penal sum of five hundred dollars, conditioned for the faithful performance of the duties of his office, which said bonds shall be approved by and filed with the City Recorder.

Sec. 9. Any person neglecting or refusing to comply with any portion of this ordinance shall be liable to a fine of not less than five, nor more than one hundred dollars for each offence.

Passed March 12, 1860.

[No. 24.]

AN ORDINANCE RELATING TO LICENSES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that it shall not be lawful for any person or persons to establish or keep within the limits of said city any store, shop, market or stand for the purpose of buying, selling or exchanging merchandize, goods, drugs or provisions, nor to engage in the business of brokerage, pawn or otherwise; of peddling or hawking goods of any description, fruit or provisions; nor to keep any tavern, grocery, dram or tippling shop, boarding or eating house, ordinary, coffee house, restaurants, or any other place of public entertainment, nor conduct or manage any theatre, or other exhibition, show or amusement, without first obtaining from the City Council a license therefor.

Sec. 2. No license granted by said council shall be for a

longer term than one year; nor shall any such license be assignable, transferable, or authorize any person or persons to do business or act under it but the person or persons named therein; nor at more than one place. The City Council may, upon granting such license, determine the time for which it shall be given and the amount to be paid thereon, and may require bonds for the due observance of the ordinances and regulations of the city.

Sec. 3. The City Recorder shall make out and sign all licenses granted by the City Council, and all grants and licenses emanating from said council shall receive the seal of the corporation, for which the City Recorder shall be entitled to a fee of one dollar each, and the person or persons to whom such licenses may be granted shall, upon receiving the same, pay the amount required therefor into the hands of said Recorder.

Sec. 4. Any person who shall violate, neglect or refuse to conform to, and observe any or either of the provisions of this ordinance shall be liable and subject to pay a fine of not less than two, nor more than one hundred dollars for each offence.

Sec. 5. Nothing in this ordinance shall be so construed as to interfere with licenses already granted, or prohibit farmers from selling their own produce within said city.

Passed March 12, 1860.

[No. 25.]

AN ORDINANCE CREATING THE OFFICE AND DEFINING THE DUTIES OF INSPECTOR OF PROVISIONS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that there be, and hereby is created the office of Inspector of Provisions.

Sec. 2. Said Inspector, before entering upon the duties of his office, shall take and subscribe an oath for the faithful performance thereof, which shall be filed with the City Recorder.

Sec. 3. It shall be the duty of the Inspector of Provisions when called upon by any person to inspect all meats, flour, vegetables, or other provisions, and certify to the quality of the same, for which he shall be entitled to a reasonable compensation from the person requiring such service.

Sec. 4. It shall further be his duty when provisions are offered for sale, and he may deem it necessary for the health and protection of the citizens to inspect the same, and should any be found unfit to offer to the public, he is hereby authorized to seize the same in the name of the city.

Sec. 5. Said Inspector shall report quarterly in writing to the City Council his doings under the fourth section of this ordinance.

Passed March 17, 1860.

[No. 26.]

AN ORDINANCE IN RELATION TO BUTCHERING AND THE MEAT MARKETS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that no person shall be allowed to erect a slaughter-house or yard in either of the wards of this city, except under the direction of the Alderman of said wards.

Sec. 2. All persons who now are, or have been using any house or yard for slaughtering, or any meat market, shall forthwith remove, or bury all nuisances arising from the use of said house, yard, or market.

Sec. 3. No person or persons shall be allowed to establish a

butchery or meat market within the limits of this city without a license from the City Council; and all butchers so licensed shall keep a book, in which they shall record a faithful description of all cattle killed by them, together with the name of the person from whom received, and the time when killed, which book shall be opened to the inspection of the public.

Sec. 4. All persons who receive license from the City Council for establishing a butchery, or keeping a meat market, shall pay quarterly, in advance, to the corporation, the sum of twenty five dollars per annum.

Sec. 5. Any person violating this ordinance shall be liable to be fined in any sum not less than ten, nor more than one hundred dollars for each offence.

Passed March 12, 1860.

[No. 27.]

AN ORDINANCE REGULATING QUARANTINE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that said city, and all that district of country embraced within twelve miles of the limits thereof, be and are hereby declared subject to the following quarantine regulations:—

Sec. 2. The City Council shall appoint one or more physicians who, before entering upon the duties of their office, shall take an oath, and give bonds in the penal sum of five thousand dollars; conditioned for the faithful performance thereof, and whose duty it shall be to enforce quarantine regulations upon all residents, or emigrants, or others passing through or coming into the above-described quarantine limits.

Sec. 3. Be it further ordained, that it shall be the duty of said physician or physicians to see that no emigrants nor any of

their effects pass the quarantine grounds until they have been examined and declared to be in a healthy condition.

Sec. 4. Be it further ordained, that all persons refusing to comply with the above requirements, shall pay a fine of not less than five, nor more than one hundred dollars, or be imprisoned not to exceed six months, or by both fine and imprisonment, at the discretion of the court.

Sec. 5. Be it further ordained, that if any person or persons, or any of their effects, shall be found in an unhealthy condition, they shall be required to move the same to such place or places as the physician may direct, within twenty-four hours. Any person refusing to comply therewith, it shall be the duty of the physician to have it done at the expense of the owner.

Sec. 6. Be it further ordained, that no person or persons emigrating through this city shall be permitted to camp within the public street thereof without a written permit from the Mayor, under penalty of fine not to exceed fifty dollars for each offence, and pay all damages.

Passed March 12, 1860.

[No. 28.]

AN ORDINANCE RELATING TO PHYSICIANS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person who shall practice physic, medicine or surgery, within the limits of said city, is hereby required to obtain a yearly license from the City Council for that purpose.

Sec. 2. That a committee of three shall be appointed by the City Council, whose duty it shall be to examine into the qualifications of those who may practice medicine or surgery,

and from whom a certificate must be obtained to entitle them to a license from said council.

Sec. 3. Any person failing to comply with the requirements of this ordinance, shall be liable to pay a fine in any sum not less than ten nor more than one hundred dollars for each offence.

Passed March 12, 1860.

[No. 29.]

AN ORDINANCE IN RELATION TO DRUGS AND MEDICINES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all physicians, nurses, druggists, apothecaries or other persons, are hereby required to label in a plain and legible manner all drugs and medicines which they may put up or cause to be put up, before such drugs or medicines leave their possession.

Sec. 2. Any person neglecting or refusing to comply with the foregoing section of this ordinance shall be liable to a fine in any sum not less than five, nor more than one hundred dollars, or imprisonment not exceeding six months, or both at the discretion of the court having jurisdiction, and to pay all damages that may accrue from such violation.

Passed March 12, 1860.

[No. 30.]

AN ORDINANCE PRESCRIBING THE DUTIES OF INSPECTOR OF BUILDINGS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Inspector of buildings, before entering upon the duties of his office, shall take and subscribe an oath for the faithful performance thereof, which shall be filed in the office of the City Recorder.

Sec. 2. It shall be the duty of the Inspector of Buildings, when called upon, to examine all public or private buildings, bridges, dams, locks, gates, reservoirs, aqueducts, or other public works, and certify to the strength, safety, workmanship and general condition of the same; also inspect all building materials when offered for sale, measure all buildings, building material, mason and other mechanical work, and when required certify to the measurement thereof.

Sec. 3. Said Inspector shall, when he may deem it necessary, have a general supervision and inspection of all buildings in course of construction, to cause to be carried into effect all ordinances providing for the prevention of fires, and other structures which endanger life or property. He may require the removal, or prevent the construction of any fire place, chimney, hearth or stove in any building which may be dangerous in causing or promoting fires, and may direct the safe construction for the deposit of ashes; and for all service he shall be paid a reasonable compensation by the parties requiring such service.

Sec. 4. Any person who shall neglect or refuse to conform to the provisions of this ordinance shall be liable, for each offence, to a fine in any sum not less than five, nor more than one hundred dollars, and pay all damages that may accrue from such violation. Provided, however, that any person who shall fail or refuse to conform to the instructions of said Inspector

provided in the third section of this ordinance, such party shall be served with a notice in writing setting forth distinctly some one of the dangers hereinbefore stated with instructions to remedy the same without delay.

Passed March 17, 1860.

[No. 31.]

AN ORDINANCE IN RELATION TO CITY SURVEYOR.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the City Surveyor shall be appointed by the City Council, and before entering upon the duties of his office shall be qualified and give bonds in the penal sum of one thousand dollars, conditioned for the faithful performance of the duties thereof, which said bonds shall be approved and filed with the City Recorder.

Sec. 2. It shall be the duty of the City Surveyor, within thirty days after completing any survey, to make a true copy of the same and transmit to the City Recorder, and give a certificate of such survey to the person to whom it was made, describing the plot, block, and lot, and amount of land, and such certificate, when recorded by the City Recorder, shall be the legal title of possession to the person or persons holding the same.

Sec. 3. When any survey has been made within the city, and the bounds cannot be identified, and disputes arise between rightful claimants respecting said bounds, the parties so in dispute, or either of them, may notify the other party of his, her, or their intention to have a resurvey to determine said bounds so in dispute, and the City Surveyor is hereby authorized and required

to make such resurvey whenever called upon: Provided the lawful fees are tendered him for such service.

Sec. 4. When any land has been surveyed within this city, to any person, and not recorded, and the certificate of such survey cannot be found, and the person or persons to whom such survey was made can satisfy the City Council that they are the lawful claimant of said lands, the same may be resurveyed and recorded to said claimant or claimants at their expense, otherwise all such lands shall be held as public lands of Great Salt Lake City.

Sec. 5. For all services rendered the city by the City Surveyor in surveying or resurveying, leveling for grade of streets or alleys, for water-sects, or other duties belonging to his office, he shall be allowed a compensation of four dollars per day.

Sec. 6. All books, records, plots and papers of surveys made within the city, kept by and in the possession of the City Surveyor apertaining to his office, are hereby made the property of the city, and it shall be his duty to transmit the same to his successor in office.

Passed March 17, 1860.

[No. 32.]

AN ORDINANCE IN RELATION TO CRIMES AND PUNISHMENTS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that if any two or more persons shall engage in a fight within the limits of this city they shall be liable to be fined in any sum not less than five, nor more than one hundred dollars for each offence.

Sec. 2. If any person shall assault another by menacing

or threatening without provocation, or assault and beat another, he shall be liable to be fined in any sum not exceeding one hundred dollars, or imprisoned not exceeding six months or both.

Sec. 3. If any person or persons shall, in a tumultuous manner, commit a disturbance of the peace, by brawling or noisy acclamations, they shall be liable to be fined in any sum not exceeding twenty-five dollars.

Sec. 4. If any person or persons shall be found drunk in the streets or any public place in this city, he or they shall be liable to be fined in any sum not less than two, nor more than twenty five dollars, for every such offence.

Sec. 5. If any person or persons shall resist or abuse or threaten to molest the Marshal or any city officer in the exercise of his official duties, or threaten to take or endanger the life of a fellow-being, they shall be liable to be fined in any sum not exceeding one hundred dollars, or imprisoned not more than six months, or both at the discretion of the court; and may be required to give bonds in any sum not exceeding one thousand dollars, to keep the peace.

Sec. 6. Any person refusing, when called upon by the Marshal or any city officer, to aid in arresting and securing an offender, shall be liable to be fined in any sum not less than five, nor more than fifty dollars for every such offence.

Sec. 7. Any person knowingly and maliciously destroying or injuring any public or private property, shall be liable to pay all damages, and be fined in any sum not exceeding one hundred dollars, or to imprisonment not to exceed six months, or both.

Sec. 8. If any person steal property not exceeding twenty dollars, he shall be liable to be fined in any sum not exceeding one hundred dollars, or may be imprisoned not exceeding six months, or both.

Sec. 9. If any person shall disturb a public assembly who have congregated for religious purposes, or for civil recreation, by any undue noise, or behaving in an indecent or unbecoming

manner, in defiance of good order, he shall be liable to be fined in any sum not exceeding one hundred dollars, or imprisoned not to exceed six months.

Sec. 10. If any person maliciously kill, maim or disfigure any horse, ox, or other domestic beast, the property of another, or maliciously administer poison to any such animals, or expose any poisonous substances, with the intent that the same shall be taken by them, he shall be liable to be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars, or both, and pay all damages.

Sec. 11. If any person torture or cruelly beat any horse, ox or other beast, whether belonging to himself or any other person, he shall be liable to be punished by fine in any sum not less than five, nor more than fifty dollars, or imprisonment not to exceed three months, or by both fine and imprisonment, and pay all damages.

Sec. 12. If any person maliciously take down, injure or remove any monument erected, or any tree marked as a boundary of any tract of land, or city lot, or destroy, deface or alter the marks of any monument, he shall be liable to be punished by imprisonment not more than six months, or by fine not more than one hundred dollars, or by fine and imprisonment at the discretion of the court.

Sec. 13. If any person maliciously injure, deface or destroy any building or fixture attached thereto, or wilfully and maliciously injure, destroy or secrete any goods, chattels, or valuable paper of another, or maliciously prepare any deadfall, or dig any pit, or set any gin, or arrange any other trap to injure another's person or property, he shall be liable to be imprisoned not more than six months, or fined not more than one hundred dollars, or by both fine and imprisonment, at the discretion of the court, and be liable to pay all damages sustained by the party injured.

Sec. 14. Any person who shall sell or expose for sale any unhealthy provisions, whether meat or drink, such as bad beef,

pork, mutton or other meat, made so by improper food, heating, age or otherwise; also stale or otherwise impure flour, meal, grain or vegetables, or adulterated or unwholesome spirituous or malt liquors, or other beverage intended for drinks or liquors, or any other kind of provisions or preparations, or condiments, or seasoning for meats or drinks, shall, upon conviction of the same, be liable to pay a fine in any sum not exceeding one hundred dollars, or imprisoned not more than six months, or by both, at the discretion of the court having jurisdiction, and the articles above specified shall be forfeited to the city.

Sec. 15. When three or more persons assemble together, and in a violent and tumultuous manner, commit an unlawful act, or together, do a lawful act in an unlawful, violent, or tumultuous manner, to the disturbance of the peace, they are guilty of a riot, and every such offender shall be liable to be punished by imprisonment not more than six months, or by fine not more than one hundred dollars, or by both, and the Mayor or any Alderman who shall have a knowledge, or be informed of such unlawful assemblage, is hereby authorized to make proclamation among the persons so assembled, or as near to them as he can safely come, charging and commanding them immediately to disperse and peacefully to depart to their habitations or lawful pursuits; and if upon proclamation being made such persons shall not obey such proclamation, the aforesaid Mayor or Alderman may command the Marshal, or any number of Police, and all persons there being, and the full power of the city, and order the offenders brought before him to be dealt with according to the provisions of this section.

Sec. 16. Any person refusing to give prompt assistance after the making of the above proclamation, and a call for their services being given to secure any offenders mentioned in the preceding section, shall be liable to imprisonment not exceeding thirty days, or fine not exceeding one hundred dollars, or by both fine and imprisonment.

Sec. 17. If any person keep a house, shop, or any other

place resorted to for the purpose of gambling, or permit or suffer any person in any house, shop, or other place under his control or care, to play at cards, dice, faro, or roulette, or other game for money or other things, such offender for each offence shall be liable to be fined not more than one hundred dollars, or imprisoned not exceeding six months, or both, at the discretion of the court. In a prosecution under this section any person who has the charge of, or attends to any such house, shop or place, may be deemed the keeper thereof; and any person renting out a house or place for the purpose of gambling, shall be liable to the penalties prescribed in this section.

Sec. 18. If any person play at any game of dice, cards, or other games, of chance usually resorted to for gambling or fraudulent purposes, he shall be liable to be punished by fine, not exceeding one hundred dollars, or by imprisonment not exceeding six months, or by both fine and imprisonment.

Sec. 19. If any person or persons be found exciting disturbance or contention at a tavern, court, election, or other meeting of citizens, he shall be liable to a fine in any sum not exceeding ten dollars, or be imprisoned or put to hard labor not more than ten days, or by both fine and imprisonment.

Sec. 20. Any person who shall be convicted of sporting, rioting, quarreling, hunting, fishing or participating in any kind of irreligious amusements, or unnecessary labor on the Sabbath day, shall be liable to a fine in any sum not exceeding ten dollars, or imprisonment not exceeding ten days, or both.

Sec. 21. Any person who shall be found running any horse or mule in any of the streets of this city, unless upon good cause shown, such fast riding shall be deemed justifiable, shall be liable to a fine in any sum not exceeding ten dollars and pay all damages.

Sec. 22. Any person or persons tearing down or defacing any ordinance or any paper posted up by any officer or any other person, within twenty days from the date of such paper, shall be liable to pay a fine of not less than five, nor more than fifty

dollars for every such offence, or imprisoned not exceeding twenty days.

Sec. 23. An person profaning the name of Deity shall be subject to a fine of not less than one, nor more than ten dollars, or from one to five days hard labor, or both, at the discretion of the court.

Sec. 24. Be it further ordained that if any person shall provoke another to an assault by menacing, insulting, slanderous or abusive language, he shall be liable to a fine in any sum not exceeding fifty dollars, or imprisonment not exceeding two months, or both, at the discretion of the court.

Passed March 16, 1860.

[No. 33.]

AN ORDINANCE REGULATING THE MODE OF PROCEDURE IN CASES ARISING UNDER THE ORDINANCES OF THE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that whenever a complaint is made before the Mayor or any Alderman of said city, on oath or affirmation; or if the Mayor or any Alderman has any personal knowledge that any breach of the ordinances of the city has been committed, he shall forthwith issue a warrant, directed to the Marshal, or any of his deputies, for the arrest of the offender or offenders, and bring him or them before said Mayor or Alderman for examination.

Sec. 2. When the Mayor or any Alderman, or any peace officer of the city, shall witness any breach of the ordinances of the city, he may arrest the offender, or cause it to be done, with or without process, and bring him before any of the above respective courts.

Sec. 3. Any person who has arrested another for the commission of a public offence, must, without unnecessary delay, take him before the Mayor or some one of the Aldermen, or deliver him to some peace officer.

Sec. 4. When any person shall be brought before the Mayor or any Alderman, such person shall be examined without unnecessary delay, and when it shall be necessary, any person may be detained in the city prison forty-eight hours for trial.

Sec. 5. If it be determined that the accused be put upon trial immediately, it shall not be necessary to make any complaint in writing. The court shall issue subpenas requiring the Marshal or any of his deputies to summon all the witnesses required, provided neither party shall have more than three witnesses to prove any one fact, and shall forthwith, or at its earliest convenience, proceed to hear the evidence and determine in a summary way upon the complaint alleged against the offender and enter judgment.

Sec. 6. If any important witness be absent, the court may adjourn until such witness be present.

Sec. 7. Upon good cause shown, the court may postpone the trial, and if necessity require it, shall order the defendant to enter into recognizance with sufficient security to appear at such time as the court may determine to answer the complaint made against him. If he fail to give sufficient securities for his appearance, he shall be committed to the city prison until the time of trial.

Sec. 8. The officer having made the returns of warrant and the subpenas in due form, the complaint (when made in writing) shall be read. The defendant being put upon trial, shall be inquired of whether he is guilty or not guilty. If the accused plead guilty, the court may inquire into the amount of guilt and decide accordingly.

Sec. 9. If he plead not guilty, the evidence on the part of the accusations shall be heard, then that of the accused; after which, if either party can satisfy the court that important

dence which he can procure is still wanting, his demand may be complied with. When all the evidence is heard, the accuser may make such applicable remarks as he shall deem proper, and also the accused; and the court shall render judgment as soon as practicable.

Sec. 10. The court shall keep a docket-book, in which shall be entered the nature of the complaint, the witnesses who testified in the case, and the judgment of the court.

Sec. 11. Should the defendant refuse to pay the fine and costs awarded in the judgment, the court may commit him to the city prison, or cause him to work upon the public highways, either with or without a ball and chain, or otherwise dispose of his labor, as the court may direct, until such fine and costs be paid.

Sec. 12. In cases where judgment is rendered, and the defendant has property, and refuses or neglects to comply with the judgment rendered, the court shall issue an order to the Marshal requiring him to take property sufficient to satisfy the fine and costs, into his possession, and execute the same without delay, and make returns of his doings.

Sec. 13. When property is taken to satisfy a judgment, and is to be sold at public sale, the Marshal shall give public notice of time and place of sale and a summary of the kind of property, allowing ten days from the service of execution to the day of sale, unless the interest of the defendant shall require a shorter time and shall make returns within five days from the day of sale, and pay over to the court all moneys arising from said sale. The court shall award the costs according to ordinance, and all fines collected by the Mayor or Alderman by virtue of law or ordinance shall be paid into the City Treasury once in three months.

Sec. 14. Before the Mayor or any Alderman, if required by either party, the court shall issue a venira, requiring the Marshal or any of his deputies to summon twelve judicious persons, or a less number, if agreed upon by the parties, to set as jurors, who

may be objected to for cause one by one by either party, alternately. If any are removed their places shall be filled, and when the number is complete, they shall be sworn to give a just verdict, and to have no communication with any but the court, or a fellow-juror, upon the case before them, until they have agreed upon their verdict, which must be done with diligence, and may be given when three-fourths of their number concur.

Sec. 15. The Mayor or any Alderman may require any person or persons to give bonds with securities to keep the peace, upon complaint being made under oath that any person has threatened, or is about to commit any offence against the person or property of another.

Sec. 16. And it shall be the duty of the Mayor or any Alderman to examine such complaint and any witness that may be brought, and if, on examination, the court is satisfied from the testimony that there is sufficient grounds to fear such an offence by the person complained of, it shall be the duty of such court to issue a warrant reciting the complaint, and commanding the Marshal or any of his deputies forthwith to bring the person so offending before said court, and if upon further examination the court finds there is reason to fear the commission of such an offence, it shall require the offender to enter into recognizance in a sum not exceeding one thousand dollars to keep the peace toward the people of this city, and particularly toward the complainant.

Sec. 17. If the party complained of as above fail to give bonds with securities when required, he shall be retained in custody or committed to the city prison, or put to hard labor upon the public streets, with or without a ball and chain, not to exceed six months, at the discretion of the court, until he find such bond and securities.

Sec. 18. If a complaint is made before the Mayor or any Alderman, under oath, by any person of any property being stolen or embezzled, and the complainant suspects such property is concealed in any house or place, and the Mayor or any Alder-

man is satisfied that there is reasonable grounds of suspicion, he shall issue a warrant directed to the Marshal or any of his deputies, commanding him to search diligently such places where such property is suspected to be secreted, and said Marshal shall make returns of his doings without delay, and all property recovered under such process shall be subject to the order of the court.

Sec. 19. Any person taken into custody, charged with any offence shall, by order of the court before whom he is brought, be liable to be searched for money or any property he may have, and if any be found belonging to him the same may be taken and be held subject to the order of the court. Any money or property remaining after paying all expenses adjudged by the court shall be returned to the prisoner upon his being discharged.

Sec. 20. All criminal prosecutions arising under the ordinances of this city must be commenced and carried on in the name of the people of Great Salt Lake City.

Passed March 16, 1860.

[No. 34.]

AN ORDINANCE RELATING TO THE REMOVAL AND QUALIFICATIONS OF CERTAIN OFFICERS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that every person elected or appointed to any office, under the provisions of the ninth section of an "Act Incorporating Great Salt Lake City," may be removed from such office by a vote of two-thirds of the City Council: Provided, no elective officer shall be removed except for cause, nor unless furnished with the charges against him, and have an opportunity of

being heard in his defence; and the council shall have power to compel the attendance of witnesses, and the production of papers when necessary, for the purpose of such trial, and shall proceed within two days to hear and determine upon the merits of the case, and if such officer shall neglect to appear, and answer to such charges, then the council may declare the office vacant, and any officer may be suspended until the disposition of charges preferred against him.

Sec. 2. Whenever any vacancy shall happen by the death, resignation or removal of any elective, judicial, or administrative officer, such vacancy may be filled by the City Council, and every person elected or appointed to any office shall, before entering upon the duties thereof, take and subscribe an oath or affirmation, that he will support the Constitution of the United States, the laws of this Territory, and the ordinances of this city, and that he will well and truly perform all the duties of his office, to the best of his knowledge and ability; and file the same, duly certified by the officer before whom it was taken, with the City Recorder.

Sec. 3. All officers appointed by the City Council required by ordinance to give bonds, shall be commissioned by warrant under the corporate seal, signed by the Mayor or presiding officer of the City Council and Recorder.

Sec. 4. If any person, having been an officer in Great Salt Lake City shall not, within ten days after notification and request, deliver to his successor in office all property, papers, and effects of every description in his possession belonging to said city, or appertaining to the office he held, he shall forfeit and pay for the use of the city not to exceed one hundred dollars, and all damages caused by such neglect or refusal.

Passed March 17, 1860.

[No. 35.]

AN ORDINANCE ORGANIZING AND REGULATING THE FIRE DEPARTMENT IN GREAT SALT LAKE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that there be and hereby is authorized the formation of an engine company, to be known by the name of "Deseret Engine Company, No. 1," which shall be composed of twenty-nine able-bodied men, viz.:—a foreman, assistant-foreman, secretary, treasurer, steward, and twenty-four members; whose duty it shall be to keep their engine and implements in good order and ready for use; and, on the alarm of fire, each member is required to leave all other business and repair to the engine house, with all possible speed, and remove their engine to the place of fire, and operate under the direction of a chief-engineer, as hereinafter provided.

Sec. 2. That there be organized a hook and ladder company, to be known by the name of "Deseret Hook and Ladder Company, No. 1," which shall be composed of twenty-nine able-bodied men, viz.:—a foreman, assistant-foreman, secretary, treasurer, steward, and twenty-four members, whose duty it shall be to keep their implements in good order and ready for use, and on the alarm of fire, shall be required, as in the first section, to remove their implements to the place of fire, and operate under the direction of the aforesaid engineer.

Sec. 3. That there be and hereby is created the office of chief-engineer, which office shall be filled by appointment of the Mayor and Council. Said engineer may appoint one or more assistants who shall take command in his absence.

Sec. 4. The chief-engineer is hereby authorized to enlist fifty-eight men to compose said companies, who shall proceed to elect their officers by ballot, from their own number, under his

direction, and adopt such other rules and regulations as may be deemed necessary. And it shall further be the duty of said engineer, together with his assistants, to take charge and command of all fire companies, with their engines and implements in all places and under all circumstances, and provide or cause to be provided engines and other implements necessary to extinguish fires, and see that they are kept in good order.

Sec. 5. All officers of said companies, before entering upon the duties of their respective offices, shall be sworn before the City Recorder faithfully to perform the duties thereof; and the treasurers shall file bonds, with approved security, to the amount of five thousand dollars each. All vacancies that may occur from death, resignation or otherwise, shall be filled by a majority vote of the members at any regular meeting.

Sec. 6. The said engineer is hereby empowered to organize other companies when it shall be deemed necessary, under such regulations as are herein set forth; and he shall be required to make a quarterly report to the City Council, and all acts and doings of said engineer shall be subject to their approval.

Passed March 17, 1860.

[No. 36.]

AN ORDINANCE REGULATING AUCTIONEERS AND COMMISSION MERCHANTS IN GREAT SALT LAKE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that no person or persons shall, after the publication of this ordinance sell or expose for sale by way of vendue or auction, any property within the limits of this city, unless such person or persons shall reside therein, and first obtain a license

for this purpose from the City Council, for which such person or persons shall pay to the corporation the sum of one per cent. on all goods sold by him or them, and give bonds, with good securities, in the sum of one thousand, dollars, for the honest and due performance of all duties as herein required, which bonds shall be approved by and filed with the City Recorder.

Sec. 2. Be it further ordained, that if any person or persons shall be found selling or disposing of any property, within the limits of this city, by way of vendue or auction, without having obtained such license, and giving such securities as aforesaid, such person or persons, upon conviction thereof, shall be liable to pay a fine of not less than five, nor more than fifty dollars for every such offence.

Sec. 3. Be it further ordained, that all auctioneers licensed as aforesaid, shall receive all articles which he or they shall be required to sell at auction, giving his or their receipt for the same; and within ten days after any sale, shall deliver a fair account of the same, and pay the amount thereof to the person or persons entitled thereto, deducting therefrom fees and commissions hereinafter allowed; that is to say, on the account of the sale of the property, a commission not exceeding twelve and a half per cent. on all property sold.

Sec. 4. It shall be the duty of every auctioneer, licensed as aforesaid, to pay over the sum of one per cent. to the corporation, on all goods sold by him, once in three months, or oftener if required, and in accounting for such duties, it shall be incumbent on every auctioneer to make his returns under oath or affirmation, and exhibit to the City Recorder his books of sales, when required so to do by said Recorder; and should any such auctioneer neglect or refuse to comply with the duties imposed on him, he shall forfeit his license, and be liable to pay a fine of not less than five, nor more than fifty dollars.

Sec. 5. If any goods or property shall be consigned to any auctioneer or auctioneers of this city, licensed, as commission merchants, to be sold on commission at private sale, he or they

may sell the same at private sale, and receive such fees or per cent. as may be agreed on by the parties, by paying the said one fourth of one per cent. to the City Corporation, on all proceeds arising from said sales, except such articles as are manufactured within the limits of this Territory.

Sec. 6. Nothing in this ordinance shall be so construed as to prohibit any Sheriff, Constable, or other officer, whose duty shall require him to levy on any property, and sell the same at public auction on the execution or judgment of any of the courts of this Territory.

Passed March 17, 1860.

[No. 37.]

AN ORDINANCE REGULATING PUBLIC EXHIBITIONS AND AMUSEMENTS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person or persons wishing to exhibit by theatricals, concerts, shows, amusements, circuses or by other feats in a public manner within the limits of said city, must first obtain a license from the City Council for that purpose, and shall pay into the City Treasury a sum not less than ten, nor more than one hundred dollars.

Sec. 2. Any person or persons violating this ordinance shall be liable to a fine, not exceeding one hundred dollars for every such offence, at the discretion of the court having jurisdiction.

Passed March 17, 1860.

[No. 38.]

AN ORDINANCE RELATING TO NUISANCES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the owner or any person having in charge stock dying within the limits of the city wall, is hereby required to remove the same at least half a mile beyond the limits of said wall, and not nearer than the same distance of any dwelling house, within twenty-four hours after the decease of said stock: Provided, small animals may be buried within the limits of said wall at a proper depth and distance from any water course.

Sec. 2. Any privy or pig-stye erected nearer than forty feet of the line of the streets of this city, is hereby declared to be a nuisance, and liable to be removed at the expense of the owner thereof; and no out-house, hay or grain stack, cow-yard, or offal-yard, shall be erected within the same distance of any street except kept in proper order, without being liable to be complained of, and the same removed at the expense of the owner upon the order of the court having jurisdiction.

Sec. 3. No person or persons shall suffer any filth of yards, or pens, or any filthy substance to flow from their premises into the waters of any of the streams running through the streets of this city, or place upon the banks or into the waters thereof any hides or filthy substance whatever.

Sec. 4. Whoever shall violate any of the provisions of this ordinance, shall be subject to a fine, not less than five, nor more than fifty dollars for each and every such violation.

Passed March 17, 1860.

[No. 39.]

AN ORDINANCE IN RELATION TO TRESPASS AND ANIMALS RUNNING AT LARGE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person who shall take down a fence and expose any enclosure, or ride, drive or walk across the premises of another, without permission of the owner or occupant thereof, shall be liable to pay all damages, and a fine in any sum not less than one, nor more than one hundred dollars for each offence.

Sec. 2. No cattle, horses, mules, sheep, goats or hogs shall be allowed to run at large within the limits of this city, all such animals so found shall be liable to be taken up by any person and driven to the city pound, and the owner to pay all damages done by said animals; which damages shall be apprised by three competent persons.

Sec. 3. Nothing in the preceding section shall be so construed as to prevent any of the citizens from herding milch cows, work cattle, horses, mules, or other animals on the unenclosed lands within said city, north and east of the city wall.

Passed April 20, 1860.

[No. 40.]

AN ORDINANCE REGULATING THE MEASUREMENT OF MASON WORK, PLASTERING, PAVING AND CUT STONE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all walls of mason work, whether of stone or

adobies, shall be measured as solid: also all flues, fire places, ovens, boilers, cooking ranges, grate settings, furnaces, copper settings, and other like works.

Sec. 2. That a perch of mason work shall be sixteen and a half square feet, including openings; and that six adobies, each twelve inches long, five inches and three quarters wide, and four inches thick, shall be, when laid in a wall, one foot.

Sec. 3. That all paving, flagging, plain plastering, hard finish, and rough-casting, including openings, be measured by superficial measurment; also, all cut stone, plained tooled, such as door steps, door sills, coping and hearth stone, those parts only which show when set; and that all window-sills, caps and water table be measured by running measurement.

Passed March 27, 1860.

[No. 41.]

AN ORDINANCE RELATING TO ANIMALS RUNNING OVER THE JORDAN BRIDGE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that no persons shall be allowed to ride or drive any animal faster than a walk across the bridge over Jordan River, on North Temple street.

Sec. 2. And be it further ordained that no person or persons shall be allowed to drive upon said bridge, more than twenty head of cattle or horses, or one hundred head of sheep, or more than one loaded wagon at the same time. Any person not observing this ordinance shall be liable to a fine of five dollars for every such offence, and pay all damages.

Passed March 27, 1860.

[No. 42.]

AN ORDINANCE RELATING TO CITY POUND KEEPER.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that there be and hereby is created the office of City Pound Keeper, who shall be appointed by the City Council.

Sec. 2. The City Pound Keeper shall, before entering upon the duties of his office, take an oath and give bonds in the penal sum of ten thousand dollars, conditioned for the faithful performance thereof, which bonds shall be approved by and filed with the City Recorder.

Sec. 3. It shall be the duty of the City Pound Keeper to receive all stock to him delivered by any person in conformity with the ordinances of the city, and record the description, marks and brands thereof, in a book kept for that purpose, which shall be opened to the inspection of the public. He shall use due diligence to ascertain the owners of all animals to him delivered, and, if known by brand or otherwise, shall immediately notify them of the same, and he shall deliver said stock to the owners thereof on their proving property and paying to him the poundage fee of seventy-five cents per head, together with the damages by law assessed against the person or persons owning such stock, and the cost of keeping.

Sec. 4. All animals received by the City Pound Keeper, if not claimed within five days by the owners thereof, shall be advertised two weeks in some public newspaper printed in the city, and, at the expiration of five days thereafter, if not claimed, he shall sell the same after giving five days notice of time and place, with a description of the property, at public sale, subject to being redeemed any time within six months from the date of sale, upon the owner paying all cost and damages upon the same.

Sec. 5. The City Pound Keeper shall pay over all moneys or other property received by virtue of his office once in three months, or oftener if required, to the Treasurer, and report to the City Council the number of animals received, and how disposed of, together with his services, for which he shall be allowed a reasonable compensation.

Passed April 27, 1860.

[No. 43.]

AN ORDINANCE IN RELATION TO VAGRANTS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all persons not having visible means of support, living idly, or who are found loitering about the streets or public places, or lodging in the night time upon the premises of others and not giving an account of themselves, or going about from house to house begging, or placing themselves in the streets or other public places to beg or receive alms, and all keepers or exhibitors of any gaming-table or device, and all persons who travel from place to place for the purpose of gambling, and all persons upon whom shall be found any instrument or thing used for the commission of burglary, or for picking locks or pockets, and who cannot give a good account of the possession of the same, shall be deemed vagrants.

Sec. 2. It shall be the duty of the Mayor or any Alderman of said city having personal knowledge, or on complaint being made under oath that any person is a vagrant, to cause the offender to be brought before him, and if, upon examination, such person be found guilty, he or she shall for each offence pay a fine of not less than one, nor more than fifty dollars, with costs; or be put to hard labor not to exceed thirty days, at the

discretion of the court; and further, may be required to give bonds with good and sufficient securities in a penalty not less than one hundred nor exceeding one thousand dollars, conditioned that the said defendant will, for the space of six months next ensuing the execution of said bond, be of good behavior, and in default thereof, shall be committed to prison until such security is given, not exceeding ninety days.

Sec. 3. On the trial of any person before the Mayor or Alderman charged with being a vagrant, it shall be lawful for the city to introduce, in support of said charge, testimony of the general character and reputation of the defendant, touching the offence or charge set forth in the complaint, and the defendant may likewise resort to testimony of a like nature for the purpose of disproving such charge.

Passed April 27, 1860.

[No. 44.]

AN ORDINANCE RELATING TO DOGS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person owning or possessing a dog within the limits of this city shall pay a tax of one dollar per annum for each dog, and the Assessor and Collector shall collect the said tax as other taxes of said city.

Sec. 2. If the owner or possessor of a female dog permits her to run at large while in heat, he shall forfeit and pay five dollars for each offence, and she shall be liable at such times to be killed if found at large by any person annoyed thereby.

Sec. 3. Any owner or possessor of a dog who shall permit or suffer the same to enter or be in any place of worship during

public service, shall be liable to a fine in any sum not exceeding five dollars for each offence.

Sec. 4. If any owner or possessor of a fierce, dangerous or mischievous dog permit the same to go at large in this city, to the danger or annoyance of the citizens, he shall be liable to pay all damages and forfeit and pay for the first offence a sum not exceeding five dollars, and for each subsequent offence a sum not exceeding ten dollars, and upon the third conviction for the same offence the City Marshal shall immediately cause the dog, upon account of which the conviction takes place, to be killed.

Sec. 5. Any person who shall kill, or cause to be killed, any dog belonging to another, except as provided in this ordinance, without the consent of the owner or possessor thereof, shall upon conviction, be liable to a fine in any sum not exceeding ten dollars, and to pay the apprized value of said dog.

Sec. 6. The word "dog," whenever used in this ordinance without qualification, shall apply to female as well as male dogs.

Passed April 27, 1860.

[No. 45.]

AN ORDINANCE IN RELATION TO SWINE AND FOWLS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all persons owning swine are hereby forbidden to feed the same upon meat, blood or entrails in a putrid or decayed state, or other unwholesome food; calculated to engender disease in the flesh of such animals, under the penalty of not less than five nor more than one hundred dollars.

Sec. 2. Be it further ordained that all fowl, such as turkeys, ducks, geese and hens allowed to run at large at any time between the first day of March and the first day of October in each year, shall be forfeited to and liable to be killed by any person upon whose premises they may be found trespassing.

Passed May 8, 1860.

[No. 46.]

AN ORDINANCE TO PROVIDE FOR THE REMITTING OF CERTAIN FINES AND COSTS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Mayor be and hereby is authorized and empowered to remit so much of any fine or penalty which belongs to the city, together with any costs of prosecution as to him shall seem just and reasonable.

Sec. 2. Be it further ordained, that the Mayor is authorized and empowered, in cases of confinement in prison of any person for a violation of the City Ordinances, to pay all jail charges in addition to remission of fines in all cases where he may be satisfied that it is just and proper, and the Auditor is directed to pay the amount out of the City Treasury upon the order of the Mayor.

Sec. 3. It shall be the duty of the Mayor to report semi-annually to the City Council the number of fines remitted, with the amount of each fine, cost and jail charges so remitted, accompanied by his reasons for remitting the same.

Passed May 8, 1860.

[No. 47.]

AN ORDINANCE TO PROVIDE FOR THE DISCOVERY AND ARREST OF PERSONS ACCUSED OF CRIME.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Mayor be and he is hereby authorized and directed to issue his proclamation offering a reward of such an amount as he, in his discretion, may deem proper for the arrest and delivery to the proper officer, of any person who may be charged with crime committed within the city, whenever he shall have knowledge of such occurrence or receive information in relation thereto from any responsible person or persons.

Passed May 8, 1860.

[No. 48.]

AN ORDINANCE RELATING TO TAXES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person or persons who may owe taxes to the city, shall be entitled to the following deductions, viz.:—If paid on or before the first day of July, in the year such taxes may be imposed or assessed, ten per cent., if paid on or before the first day of August, in said year, five per cent. on the amount of their respective bills.

Sec. 2. Any person or persons who shall not have paid their taxes on or before the first day of September, in the year such taxes may have been imposed or assessed, shall be charged five per cent., and if not paid on or before the first day of October,

in the same year, ten per cent. upon the amount thereof, which the Assessor and Collector is hereby authorized and required to demand and collect as provided by "An Ordinance in relation to the Assessor and Collector and Assessing and Collecting Taxes," and pay the said per cent. into the City Treasury.

Passed May 15, 1860.

[No. 49.]

AN ORDINANCE RELATING TO ENTICING MINORS AND OTHERS FROM THEIR HOMES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person or persons who shall be found using any influence, directly or indirectly, to induce, persuade, or entice any female from her husband, parents, or guardian, or to alienate her feelings therefrom; or who shall be found using any influence to entice or persuade any minor, male or female, from his or her parents, guardians, or persons having charge, without the consent of such parents, guardians, or persons having charge, shall be liable to pay all damages, and a fine of not more than one hundred dollars, or imprisonment not more than six months, or both, at the discretion of the court having jurisdiction.

Passed May 15, 1860.

[No. 50.]

AN ORDINANCE CREATING THE OFFICE AND DEFINING THE DUTIES OF CITY ATTORNEY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that there be and hereby is created the office of City Attorney.

Sec. 2. The City Attorney shall be appointed by the City Council, and, before entering upon the duties of his office, shall take and subscribe an oath, and give bonds in the penal sum of one thousand dollars, conditioned for the faithful performance thereof, which shall be approved by and filed with the City Recorder.

Sec. 3. It shall be the duty of the City Attorney, before the Mayor or any Alderman, to prosecute all actions on behalf of the city; and defend before said officers all actions against any officer, servant or agent of the city, on account of official acts.

Sec. 4. To prosecute or defend in any court any suit or action, originating therein, to which the city is a party, to take an appeal or writ of error on behalf of the city, with the consent and approval of the Mayor, and make the necessary affidavits, execute the necessary bonds in the name of the city, and attend in all courts to all appeals or writs of error in cases originating before the Mayor, Aldermen, or Justices of the Peace for the city.

Sec. 5. To advise the City Council or their committees, or any city officer, on such legal questions as may arise in relation to the business of the city.

Sec. 6. The City Attorney, having personal knowledge of any violation of city ordinance, or upon receiving reliable information of any such violation, shall immediately institute the necessary steps to bring the offender to punishment.

Sec. 7. He shall keep an account-book showing all claims

placed in his hands for collection, all moneys received by him on account of the city, and all payments made by him to the City Treasurer, and also keep a docket book, in which he shall enter an abstract of suits pending any court, and judgments in favor of or against said city. He shall, at the end of each quarter, settle with the Auditor of Public Accounts, and pay to the City Treasurer all moneys remaining in his hands belonging to the city.

Sec. 8. In case of sickness or other inability, or should said City Attorney be a party to or otherwise personally interested in any case, he may appoint, by approval of the Mayor, in writing, any other competent attorney at law to perform his duties until he can resume them. The person so appointed shall possess the same powers, and failing to perform the same duties, it shall be as good cause for the removal of the City Attorney as if the failure had been on the part of himself.

Sec. 9. The City Attorney shall report quarterly, or oftener if required, to the City Council the condition of the city's business in his hands or control, and for all services rendered as herein required, such compensation shall be allowed as shall be determined quarterly by the City Council.

Passed May 15, 1860.

[No. 51.]

AN ORDINANCE IN RELATION TO BURNING WEEDS, RUBBISH, AND OTHER COMBUSTIBLE MATERIALS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person burning weeds, rubbish, or combustibles of any kind within the limits of this city, except in the day time, between the hours of sunrise and sunset, and the

said burning be superintended by some responsible person, and at a distance not less than forty feet from any building, fence, stack, or other material liable to take fire, he shall be liable to a fine in any sum not exceeding one hundred dollars, and subject to pay all damages.

Passed May 18, 1860.

[No. 52.]

AN ORDINANCE IN RELATION TO DIGGING IN THE STREETS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that no person, without permission of said council, shall take up, remove, or carry away, or cause to be taken up, removed, or carried away any turf, stone, sand, clay, or earth from any street, public place, or highway in this city, under a penalty of not less than one, nor more than fifty dollars for each offence.

Sec. 2. Nothing in the preceding section shall be so construed as to prohibit any person from working the streets or digging water-ditches under the direction of the Street Supervisor.

Passed May 22, 1860.

[No. 53.]

AN ORDINANCE ESTABLISHING THE CITY SEAL.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the Seal heretofore provided and used by and

for Great Salt Lake City (one and five-eighths inches in diameter, the impression on which is a representation of a lamb in the center, with the inscription—"Great Salt Lake City Seal, U.T.," around the outer edge thereof) shall be and is hereby established and declared to have been, now is and hereafter to be the Seal of Great Salt Lake City.

Passed June 9, 1860.

[No. 54.]

AN ORDINANCE IN RELATION TO THE CITY ORDINANCES.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City that no action, prosecution, suit, or proceeding pending at the time any ordinance or part of any ordinance shall be repealed, shall be effected in any way by such repeal, but any such action, prosecution, suit, or proceeding, shall proceed in all respects as if such ordinance, or part of an ordinance had not been repealed.

Sec. 2. Whenever the term "heretofore" occurs in any ordinance, it shall be construed to mean any time previous to the day when such ordinance shall take effect, and whenever the term "hereafter" occurs, it shall be construed to mean any time after such ordinance shall take effect.

Sec. 3. Whenever, in any ordinance or resolution, words in the plural number are used in describing or referring to any matter, parties, or persons, any single matter, party, or person, shall be deemed to be included, although distributive words to that effect may not be used.

Sec. 4. Whenever any subject, matter, party, or person is described or referred to in any ordinance by words importing the

singular number or the masculine gender, several matters and persons, females as well as males, and bodies corporate as well as individuals shall be deemed to be included. The rules above prescribed shall apply in all cases, unless it shall be otherwise expressly provided in any ordinance, or unless there be something in the subject or context repugnant to such construction.

Sec. 5. When any ordinance repealing a former ordinance, clause, or provision, shall itself be repealed, such repeal shall not be construed to revive such former ordinance, clause, or provision, unless it be expressly provided.

Sec. 6. If different ordinances conflict with or are repugnant to each other, that which shall have been last passed or approved shall prevail, and so much and such parts of any prior ordinance or provision as shall be inconsistent with such last ordinance, clause, or provision, shall be deemed to be repealed thereby.

Sec. 7. All ordinances and resolutions of the City Council shall have a title indicative of the nature and object thereof.

Passed June 9, 1860.

[No. 55.]

AN ORDINANCE REPEALING CERTAIN ORDINANCES THEREIN MENTIONED.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the following named Ordinances be and are hereby repealed, namely:—

"An Ordinance Regulating Elections;" Passed March 25, 1859.

"An Ordinance Creating Certain Officers therein mentioned;" Passed January 30, 1851.

"An Ordinance Relating to the Tenure of Certain Officers;" Passed January 25, 1859.

"An Ordinance Dividing the City into Wards;" Passed January 30, 1851.

"An Ordinance Relating to Wards and the Alderman thereof;" Passed November 26, 1858.

"An Ordinance Declaring the Time when Ordinances and Resolutions shall be in Force;" Passed December 10, 1858.

"An Ordinance Regulating the Meetings of the City Council;" Passed November 24, 1854.

"An Ordinance Relating to City Officers;" Passed January 4, 1859.

"An Ordinance Defining the Duties of City Sexton;" Passed March 11, 1859.

"An Ordinance Relating to Supervisor of Streets;" Passed October 16, 1858.

"An Ordinance in Relation to Removing and Burying the Dead;" Passed February 22, 1856.

"An Ordinance Relating to the Water and Water Ditches for the Farming Lands in Great Salt Lake City;" Passed March 16, 1855.

"An Ordinance in Relation to Water Ditches and Side Walks." Passed July 1, 1859, and "An Ordinance Creating the Office of City Water Master and Defining the Duties thereof;" Passed July 9, 1853.

Passed March 6, 1860.

[No. 56.]

AN ORDINANCE REPEALING CERTAIN ORDINANCES AND RESOLUTIONS THEREIN MENTIONED.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the following named Ordinances and Resolutions be and are hereby repealed, namely:—

"An Ordinance Providing for the Regulation of Ditches and Side Walks;" Passed November 24, 1854.

"An Ordinance in Relation to Removing Obstructions from the Side Walks and Streets;" Passed February 3, 1851.

"An Ordinance in Relation to Tearing Down Ordinances posted up in Great Salt Lake City;" Passed March 3, 1851.

"An Ordinance in Relation to Dogs;" Passed March 3, 1851.

"An Ordinance Amending an Ordinance in Relation to Dogs;" Passed May 4, 1855.

"An Ordinance Authorizing a City Police;" Passed March 10, 1851.

"An Ordinance Regulating Quarantine;" Passed March 17, 1851.

"An Ordinance in Relation to Butchering and the Meat Markets;" Passed March 21, 1851.

"Resolution Establishing the Amount Paid for Butchers License;" Passed May 5, 1851.

"An Ordinance for the Prevention and Removal of Filth from the Water Courses;" Passed March 21, 1851.

"An Ordinance Regulating Auctioneers and Commission Merchants in Great Salt Lake City;" Passed April 14, 1851.

"Resolution in Relation to Ditches;" Passed March 8, 1852.

"An Ordinance in Relation to Discharging Fire Arms in Great Salt Lake City;" Passed September 21, 1855.

"An Ordinance in Relation to Assessing and Collecting City Taxes;" Passed March 24, 1854.

"An Ordinance Prohibiting the Riding or Driving Horses, Mules, or Teams on the Side Walks;" Passed March 24, 1855.

"An Ordinance in Relation to Animals Running at Large within the Limits of Great Salt Lake City;" Passed July 16, 1854, and a "Resolution Relating to Animals Running over Jordan Bridge;" Passed July 16, 1854.

Passed April 20, 1860.

[No. 57.]

AN ORDINANCE REPEALING CERTAIN ORDINANCES AND RESOLUTIONS THEREIN MENTIONED.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that the following named Ordinances and Resolutions be and are hereby repealed, namely:—

"An Ordinance in Relation to Common Schools in Great Salt Lake City;" Passed May 4, 1855.

"An Ordinance Regulating the Measurement of Stone and Mason Work;" Passed November 24, 1854.

"An Ordinance in Relation to Crimes and Punishments;" Passed August 19, 1859.

"An Ordinance in Relation to Swearing and Threatening;" Passed February 22, 1856.

"An Ordinance in Reference to Vagrants;" Passed November 24, 1854.

"An Ordinance Regulating the Mode of Procedure in Cases arising under the Ordinances of the City;" Passed July 7, 1859.

"An Ordinance Defining a Lawful Fence;" Passed January 25, 1859.

"An Ordinance Relating to Fencing;" Passed March 16, 1855.

"An Ordinance Defining the Duties of Fence Viewers;" Passed March 10, 1851.

"An Ordinance Defining the Duties of Water Master on Ditch No. 1, leading from Big Kanyon Creek;" Passed May 4, 1855.

"Resolution Regulating the Side Walks, Shade Trees, and Water Ditches, in Plot D, Great Salt Lake City;" Passed July 7, 1859.

"An Ordinance in Relation to Target Shooting and Discharge of Firearms;" Passed October 1, 1853.

"An Ordinance Relating to Enticing Minors and others from their Homes;" Passed March 16, 1855.

"An Ordinance Relating to the Food of Swine;" Passed September 21, 1855.

"An Ordinance in Relation to Swine and Fowls;" Passed March 7, 1856.

"An Ordinance Relating to Cleansing Chimneys;" Passed October 5, 1855.

"Resolution in Relation to Joint Enclosures;" Passed November 30, 1855.

"Resolution Authorizing J. C. Little to Sign Deeds of Lots in Great Salt Lake City Burying Ground;" Passed September 5, 1856.

"An Ordinance Organizing and Regulating the Fire Department in Great Salt Lake City;" Passed October 17, 1856.

"Resolution in Relation to the Organization of Fire Companies in the several Bishop's Wards of Great Salt Lake City;" Passed October 28, 1853.

"An Ordinance Relating to Physicians;" Passed March 7, 1856.

"An Ordinance in Relation to Drugs and Medicines;" Passed November 28, 1856.

"An Ordinance in Relation to Trespass;" Passed March 7, 1856.

"An Ordinance in Relation to Setting Posts for Securing Animals;" Passed March 6, 1857.

"An Ordinance Regulating Public Exhibitions and Amusements;" Passed April 3, 1857.

"An Ordinance Creating the Office of Inspector of Provisions;" Passed March 19, 1858.

"An Ordinance in Relation to Selling Liquor to the Indians;" Passed March 19, 1858.

"An Ordinance in Relation to Burning Weeds, Rubbish, and other Combustible Materials;" Passed March 19, 1858.

"An Ordinance in Relation to Lost Property;" Passed March 20, 1858.

"An Ordinance Regulating the Manufacture and Sale of Spirituous and Fermented Liquors;" Passed September 10, 1858.

"An Ordinance in Relation to the Inspection and Sale of Liquors in Great Salt Lake City;" Passed January 28, 1859.

"An Ordinance Relating to Licenses;" Passed November 26, 1858.

"An Ordinance Regulating Fees;" Passed October 29, 1858.

"An Ordinance in Relation to Writs of Habeas Corpus;" Passed July 1, 1858.

"An Ordinance Relating to Nuisances;" Passed July 26, 1859.

"An Ordinance in Relation to the Use of the City Seal;" Passed July 7, 1859.

"An Ordinance Declaring Public and Naming the Streets of Great Salt Lake City;" Passed July 7, 1859.

Passed June 1, 1860.

[No. 58.]

AN ORDINANCE IN RELATION TO SETTING POSTS AND SECURING TEAMS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that all persons owning buildings within the limits of said city are hereby required to set one or more posts in the street, twenty-five feet from the front line of their lots. Where the water ditches interfere, a variation may be made sufficient to clear such ditch; said posts must be set in a good substantial manner, suitable for securing horses or other animals.

Sec. 2. Any person refusing or neglecting to comply with the foregoing section of this ordinance, the corporation shall have the right to set said post at the expense of the owners of said building.

Sec. 3. All persons are hereby forbidden to set sign, awning, or other posts on any of the side walks of this city, except they set them sixteen feet from the street line of their lots; and further, that no sign or awning shall be less than eight feet above the grade of the side walk; nothing in this section shall be so construed as to prohibit persons from setting posts on the side walks opposite the corners of blocks, to prevent the trespassing of teams: Provided, the distance between said posts shall not be less than five feet.

Sec. 4. Any person having charge of, or being the driver of a team, shall, while such team is standing in the streets or any public place of said city, stand near the head of the same, or have hold of the lines attached to them, or otherwise secure them to some post or other substantial place of fastening prepared for that purpose. Any person or persons violating this ordinance shall be liable to a fine in any sum not less than five nor more than fifty dollars for each offence.

Passed November 6, 1860.

APPENDIX.

AN ORDINANCE IN RELATION TO DISCHARGING FIRE-ARMS.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person discharging guns or pistols within the limits of the city wall of this corporation, between the hours of sunset and sunrise, or on the Sabbath day (except in case of self-defence, or any civil officer in discharge of his duty) shall be liable to pay a fine in any sum not less than one, nor more than ten dollars for every such offence.

Sec. 2. Any person or persons discharging fire-arms within the limits of the city wall, without a lawful breastwork or battery, for the protection of the citizens, shall be liable to a fine of not less than one, nor more than twenty-five dollars for every such offence.

Sec. 3. A breastwork or battery, for target shooting, to be deemed lawful, shall be a wall eighteen inches thick, six feet wide and six feet high in the back, with side wings one foot thick, each extending two feet, increasing flaringly to the front, and six feet high, of adobies, or mud, or its equivalent.

Passed April 27, 1860.

AN ORDINANCE NAMING AND DECLARING PUBLIC THE STREETS IN PLOT D, GREAT SALT LAKE CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, as follows:

That the first street north of, and running parallel with, South Temple street be called Front street; that the second street north, running parallel, be called Garden street; that the third street north, running parallel, be called Bluff street; that the first street east of First East street, running north from South Temple street, be called Walnut street;

That the next street east, running parallel, be called Chesnut street; that the next street east, running parallel, be called Pine street; that the next street east, running parallel, be called Spruce street; that the next street east, running parallel, be called Fir street;

That the next street east, running parallel, be called Oak street; that the next street east, running parallel, be called Elm street; that the next street east, running parallel, be called Maple street; that the next street east, running parallel, be called Locust street; that the next street east, running parallel, be called Ash street;

That the next street east, running parallel, be called Beech street; that the next street east, running parallel, be called Cherry street; that the next street east, running parallel, be called Cedar street; that the extreme east street of said plot running north from South Temple street be called Birch street; and that the within named streets be and are hereby declared public streets of Great Salt Lake City.

Passed November 27, 1860.

AN ORDINANCE NAMING AND DECLARING PUBLIC THE THE STREETS IN PLOT E, G. S. L. CITY.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, as follows:

That the street beginning at the north end of East Temple street, running north to the Arsenal, be called Arsenal street; that the street commencing near the south end of Arsenal street, running in a north-westerly direction, terminating on First West street, be called Centre street; that the next street east running parallel with Centre street, be called Beet street; that the street running on the north east line of said plot, joining the city wall, be called Back street; that the street commencing at the eastern terminus of Third North street, running directly north to Centre street, be called Quince street;

That the street running on the east side of the Arsenal block be called Strawberry street; that the street running on the north line of said Arsenal block be called Currant street; that the street running on the west line of said Arsenal block be called Pea street; that the street running on the south line of said Arsenal block be called Grove street;

That the street commencing at First North street, running directly north, be called Carrot street; that the street commencing at the northern terminus of Carrot street, running west, be called Apple street; that the street commencing at the western terminus of Apple street, running north, intersecting Carrot street, be called Melon street; that the street commencing at the western terminus of Current street, running north to Quince street, be called Citron street;

That the street running from Arsenal street, in a zig-zag course, to Grove street, be called Crooked street; that the street commencing at First North street and terminating at the junction

of Crooked and Strawberry streets, be called Curve street; that the street running from Centre to Currant street, be called Vine street; that the street running from Centre to Vine street be called Branch street; that the street running from First North street to Currant street, nearly parallel with Vine street, be called Grape street;

That the second street north of the Arsenal, running from First West to Back street, be called Apricot street; that the next street north, running from First West to Back street, be called Plum street; that the next street north, running from First West to Back street, be called Peach street; that the next street north, running from First West to Back street, be called Pear street; that the next street north, running from Centre to Back street, be called Cane street;

That the most northerly street of said plot, running from First West to Back street, be called Short street; and that the street, running from Currant to Apricot street, be called Almond street, and that the within named streets be and are hereby declared public streets of Great Salt Lake City.

Passed Nov. 27, 1860.

RESOLUTION REDUCING THE WIDTH OF THE SIDE WALKS ON NORTH TEMPLE STREET.

Be it resolved by the City Council of Great Salt Lake City, that the side walks on North Temple street, in Great Salt Lake City, be and the same are hereby reduced in width to eight feet between the line of the lots and the water ditches.

Passed Dec. 11, 1860.

AN ORDINANCE RELATING TO HOUSES OF ILL-FAME AND PROSTITUTION.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that any person or persons who shall be found guilty of keeping, or shall be an inmate of any house of ill-fame, or place for the practice of fornication, or adultery; or knowingly own or be interested as proprietor or landlord of any such house; or any person or persons harboring or keeping about his, her or their private premises any whoremaster, strumpet or whore, knowing them to be guilty of following a lewd course of life; shall be liable to a fine for each offence not exceeding one hundred dollars or imprisonment not exceeding six months, or both fine and imprisonment at the discretion of the court having jurisdiction. In a prosecution under this section, the person having charge of any house or place shall be deemed the keeper thereof.

Sec. 2. It shall be lawful on the trial of any person before said court, charged with either of the offences named in the preceding section, for the city to introduce in support of such charge, testimony of the general character and reputation of the person or place touching the offence or charge set forth in the complaint, and the defendant may likewise resort to testimony of a like nature for the purpose of disproving such charge.

Sec. 3. No person shall be incapacitated or excused from testifying, touching any offence committed by another, against any of the provisions set forth in the first section of this ordinance by reason of his or her having participated in such crime; but the evidence which may be given by such person, shall in no case be used against the person so testifying.

Sec. 4. The word adultery as made use of in this ordinance

shall be construed to mean the unlawfully cohabiting together of two persons when either one or both of such persons are married; and the word fornication shall be construed to mean the cohabiting together of two unmarried persons.

Passed Dec. 30, 1860.

AN ORDINANCE IN RELATION TO RIDING AND DRIVING OVER JORDAN BRIDGE.

Sec. 1. Be it ordained by the City Council of Great Salt Lake City, that no person or persons shall be allowed to ride or drive any animal faster than a walk across the bridge over Jordan river, on North Temple street; nor to drive upon said bridge more than thirty head of cattle, horses, or mules, at the same time; nor more than two loaded wagons at the same time; nor to drive cattle, horses, or mules upon said bridge for the purpose of corralling or catching the same. Any person not observing this ordinance shall be liable for each offence to a fine of not less than one nor more than one hundred dollars, and pay all damages. One half of such fine shall go to the complainant and the other half into the city treasury.

Passed Jan. 19, 1861.

HISTORIAN'S OFFICE
Church of Jesus Christ of Latter-day Saints
47 E. South Temple St.
SALT LAKE CITY, UTAH

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